

THE NATIONAL ARCHIVES
LITTERA
SCRIPTA
MANET
FEDERAL REGISTER
OF THE UNITED STATES

VOLUME 11 1934 NUMBER 181

Washington, Tuesday, September 17, 1946

The President

PROCLAMATION 2703

NATIONAL EMPLOY THE PHYSICALLY HANDICAPPED WEEK, 1946

BY THE PRESIDENT OF THE UNITED STATES
OF AMERICA

A PROCLAMATION

WHEREAS the people of this Nation are determined to do their utmost to restore to normal living those of their countrymen who have become physically handicapped and to assist them in developing their potential power for service to themselves and to their fellows; and

WHEREAS the people of this Nation are profoundly conscious of the immeasurable debt they owe to the heroes who went bravely forth to battle and returned with physical handicaps; and

WHEREAS our late President, Franklin Delano Roosevelt, through moral courage, physical stamina, and spiritual strength, exemplified the power of the physically handicapped to bring hope and confidence to mankind; and

WHEREAS the Congress, by a joint resolution approved August 11, 1945 (59 Stat. 530), has designated the first week in October of each year as National Employ the Physically Handicapped Week, during which appropriate ceremonies are to be held throughout the Nation, and has requested that the President issue a suitable proclamation each year;

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, do hereby call upon the people of the United States to observe the week of October 6-12, 1946, as National Employ the Physically Handicapped Week. I also call upon the Governors of States, the mayors of cities, and the heads of other instrumentalities of government, as well as leaders of civic groups, to hold during that week exercises designed to foster the widest possible public support for and interest in the employment of otherwise qualified but physically handicapped workers.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 12th day of September in the year of our Lord nineteen hundred and [SEAL] forty-six, and of the Independence of the United States of America the one hundred and seventy-first.

HARRY S. TRUMAN

By the President:

W. L. CLAYTON,
Acting Secretary of State.

[F. R. Doc. 46-16775; Filed, Sept. 13, 1946;
4:01 p. m.]

Regulations

TITLE 8—ALIENS AND NATIONALITY

**Chapter I—Immigration and
Naturalization Service**

**PART 177—VISAS: DOCUMENTS REQUIRED OF
ALIEN SEAMEN AND AIRMEN ENTERING
THE UNITED STATES**

CROSS REFERENCE: For regulations entitled "Visas: documents required of alien seamen and airmen entering the United States", signed by the Secretary of State on the recommendation of the Attorney General, see Title 22, Chapter I, Part 65, as amended effective on September 10, 1946 (11 F. R. 10108). For the purposes of Chapter I of Title 8, all references to Part 65 and Part 61 in the regulations under Title 22 should read Part 177 and Part 176, respectively, and in all section numbers, the numbers 65 and 61 preceding the decimal point should be replaced by the numbers 177 and 176, respectively.

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Regs., Serial No. 376]

**PART 238—CERTIFICATES OF PUBLIC CON-
VENIENCE AND NECESSITY**

APPLICATIONS

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 10th day of September, 1946.

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Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, the National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

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(Amendment No. 5 of § 238.1 of the Economic Regulations.)

The Civil Aeronautics Board, acting pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 205 (a) and 401 thereof, and finding that special circumstances make public circulation for comments prior to adoption unnecessary and inadvisable, hereby makes and promulgates the following regulation:

Effective September 10, 1946, paragraph (d) of § 238.1 (8 F. R. 12257) is amended by inserting at the end thereof the following subparagraphs (7) and (8):

§ 238.1 Applications for certificates of public convenience and necessity. * * * (d) * * *

(7) If applicant does not hold a certificate of public convenience and necessity authorizing air transportation, a statement as to whether or not applicant is currently engaged in air transportation pursuant to the authority granted by § 292.1 of this chapter.

(8) If the application shows, pursuant to subparagraph (7) of this paragraph,

that the applicant is currently engaged in air transportation pursuant to the authority granted by § 292.1 of this chapter, a statement that all reports due under said § 292.1 from the applicant have been filed with the Board and the date or dates thereof. No proceedings other than those necessary for amendment or dismissal shall be had on any application which fails to comply with this subparagraph or discloses failure by the applicant to file such a required report while default in filing such report continues.

By the Civil Aeronautics Board.

[SEAL]

M. C. MULLIGAN,
Secretary.

[F. R. Doc. 46-16863; Filed, Sept. 16, 1946;
8:50 a. m.]

TITLE 15—COMMERCE

Subtitle A—Office of the Secretary,
Department of Commerce

PART 12—DELEGATIONS OF AUTHORITY

FOREIGN ECONOMIC ADMINISTRATION

Section 12.6 (b) of Subtitle A, Title 15, Code of Federal Regulations (11 F. R. 177A-303), is amended by striking out the words "Director of the Requirements and Supply Branch" and inserting therefor the words "Director of the Office of International Trade, the Director of the Commodities Branch of said Office, and the Deputy Director for Export Control of said Branch, severally":

Dated: September 10, 1946.

[SEAL]

H. A. WALLACE,
Secretary of Commerce.

[F. R. Doc. 46-16684; Filed, Sept. 16, 1946;
8:47 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 5378]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

BOLGER BROTHERS

§ 3.66 (a7) *Misbranding or mislabeling—Composition—Wool Products Labeling Act: § 3.66 (k) Misbranding or mislabeling—Source or origin—Wool Products Labeling Act: § 3.71 (a) Neglecting, unfairly or deceptively, to make material disclosure—Composition—Wool Products Labeling Act: § 3.71 (e7) Neglecting, unfairly or deceptively, to make material disclosure—Source or origin—Wool Products Labeling Act.* In connection with the introduction or manufacture for introduction into commerce, or the sale, transportation or distribution in commerce, misbranding garnetted or reclaimed wool waste material composed of spun, woven, knitted or felted yarns or fabrics, or any other "wool products", as such products are defined in and subject to the Wool Products Labeling Act of 1939, which products contain, purport to contain, or in any way are represented as containing "wool" "reprocessed wool"

or "reused wool" as those terms are defined in said act, by failing to affix securely to or place on such products a stamp, tag, label or other means of identification, showing in a clear and conspicuous manner (a) the percentage of the total fiber weight of such wool product, exclusive of ornamentation not exceeding five percentum of said total fiber weight of (1) wool, (2) reprocessed wool, (3) reused wool, (4) each fiber other than wool where said percentage by weight of such fiber is five percentum or more, and (5) the aggregate of all other fibers; (b) the maximum percentage of the total weight of such wool product of any non-fibrous loading, filling, or adulterating matter; or (c) the name of the manufacturer of such wool product; or the manufacturer's registered identification number and the name of a seller of such wool product; or the name of one or more persons introducing such wool product into commerce, or engaged in the sale, transportation, or distribution thereof in commerce, as "commerce" is defined in the Federal Trade Commission Act and the Wool Products Labeling Act of 1939; prohibited, subjected to the provision, however, that the foregoing provisions concerning misbranding shall not be construed to prohibit acts permitted by paragraphs (a) and (b) of section 3 of the Wool Products Labeling Act of 1939; and to the further provision that nothing contained in the order shall be construed as limiting any applicable provisions of said act or the rules and regulations promulgated thereunder. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U. S. C. sec. 45b; 54 Stat. 1128; 15 U. S. C., sec. 68) [Cease and desist order, Bolger Brothers, Docket 5378, Aug. 26, 1946]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 26th day of August A. D. 1946.

In the Matter of Bolger Brothers, a Corporation

This proceeding, having been heard by the Federal Trade Commission upon the complaint of the Commission and the answer of respondent, in which answer respondent admits all the material allegations of fact set forth in said complaint, and states that it waives all intervening procedure and further hearing as to said facts, and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act and the provisions of the Wool Products Labeling Act of 1939;

It is ordered, That respondent, Bolger Brothers, a corporation, its officers, representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction or manufacture for introduction into commerce, or the sale, transportation or distribution in commerce, as "commerce" is defined in the aforesaid acts, do forthwith cease and desist from misbranding garnetted or reclaimed wool waste material composed of spun, woven, knitted or felted yarns or fabrics, or any other "wool products", as such products

are defined in and subject to the Wool Products Labeling Act of 1939, which products contain, purport to contain, or in any way are represented as containing "wool", "reprocessed wool" or "reused wool" as those terms are defined in said act, by failing to affix securely to or place on such products a stamp, tag, label or other means of identification, showing in a clear and conspicuous manner:

(a) The percentage of the total fiber weight of such wool product, exclusive of ornamentation not exceeding five percentum of said total fiber weight, of (1) wool, (2) reprocessed wool, (3) reused wool, (4) each fiber other than wool where said percentage by weight of such fiber is five percentum or more, and (5) the aggregate of all other fibers.

(b) The maximum percentage of the total weight of such wool product of any non-fibrous loading, filling, or adulterating matter.

(c) The name of the manufacturer of such wool product; or the manufacturer's registered identification number and the name of a seller of such wool product; or the name of one or more persons introducing such wool product into commerce, or engaged in the sale, transportation thereof in commerce, as "commerce" is defined in the Federal Trade Commission Act and the Wool Products Labeling Act of 1939.

Provided, That the foregoing provisions concerning misbranding shall not be construed to prohibit acts permitted by paragraphs (a) and (b) of section 3 of the Wool Products Labeling Act of 1939: And provided, further, That nothing contained in this order shall be construed as limiting any applicable provisions of said act or the rules and regulations promulgated thereunder.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL]

OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 46-16661; Filed, Sept. 16, 1946;
8:45 a. m.]

[Docket No. 5380]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

KRAUPNER AND KRAUPNER, INC., ET AL.

§ 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product or service.* In connection with the offering for sale, sale, and distribution of the medicinal preparation designated as "Kay's Medicated Ointment," or any preparation of substantially similar composition or possessing substantially similar properties, whether sold under the same name or any other name, disseminating, etc., any advertisements by means of the United States mails, or in commerce, or by any means to induce, etc., directly or indirectly the purchase in commerce, etc., of said medicinal preparation, which advertisements represent,

directly or through inference, (a) that said preparation is a competent or effective remedy for leg sores, varicose ulcers or other ulcers, old sores, or open legs, or has any therapeutic value in the treatment of these conditions in excess of the temporary alleviation of pain when the source of such pain is accessible to local application of said preparation, or (b) that said preparation promotes or speeds healing; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U. S. C., sec. 45 b) [Cease and desist order, Kraupner and Kraupner, Inc., et al., Docket 5380, Aug. 12, 1946]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 12th day of August, A. D. 1946.

In the Matter of Kraupner and Kraupner, Inc., a Corporation, and Diener & Dorskind, Inc., a Corporation

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondent Kraupner and Kraupner, Inc., and a stipulation as to the facts entered into by and between the respondents and Richard P. Whiteley, Assistant Chief Counsel for the Commission, which provides, among other things, that without further evidence or other intervening procedure the Commission may issue and serve upon the respondents findings as to the facts and conclusion based thereon and an order disposing of the proceeding, and the Commission having made its findings as to the facts and its conclusion that the respondents have violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondents, Kraupner and Kraupner, Inc., a corporation, and Diener & Dorskind, Inc., a corporation, their officers, representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of the medicinal preparation designated as "Kay's Medicated Ointment," or any preparation of substantially similar composition or possessing substantially similar properties, whether sold under the same name or any other name, do forthwith cease and desist from:

1. Disseminating or causing to be disseminated, by means of the United States mails or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, any advertisement which represents, directly or through inference:

(a) That said preparation is a competent or effective remedy for leg sores, varicose ulcers or other ulcers, old sores, or open legs, or has any therapeutic value in the treatment of these conditions in excess of the temporary alleviation of pain when the source of such pain is accessible to local application of said preparation.

(b) That said preparation promotes or speeds healing.

2. Disseminating or causing to be disseminated, by any means, for the purpose of inducing or which is likely to induce, directly or indirectly, the pur-

chase in commerce, as "commerce" is defined in the Federal Trade Commission Act, of said medicinal preparation, any advertisement which contains any representations prohibited in paragraph (1) hereof.

It is further ordered, That respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

By the Commission

[SEAL]

OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 46-16660; Filed, Sept. 16, 1946;
9:53 a. m.]

TITLE 18—CONSERVATION OF POWER

Chapter I—Federal Power Commission

Subchapter F—Accounts, Natural Gas Act

PART 201—UNIFORM SYSTEM OF ACCOUNTS PRESCRIBED FOR NATURAL GAS COMPANIES

Correction

In Federal Register Document 46-15793, appearing at page 10149 of the issue for Friday, September 13, 1946, the signature at the end was inadvertently omitted. It should read: "Leon M. Fuquay, Secretary."

TITLE 24—HOUSING CREDIT

Chapter VII—National Housing Agency

[NHA Reg. 60-5G¹]

PART 703—PUBLIC WAR HOUSING

EXCLUSIVE RESERVATION OF PUBLIC WAR HOUSING FOR DISTRESSED VETERANS AND SERVICEMEN

Sec.

703.1 Purpose.

703.2 Eligibility for admission to vacancies in Lanham Act and other public war housing.

703.3 Eligibility for admission to vacancies in other public housing under the jurisdiction of the National Housing Agency.

703.4 Distressed veterans and families of servicemen and veterans.

703.5 Establishment of fair rentals.

AUTHORITY: §§ 703.1 to 703.5, inclusive, issued under 55 Stat. 838; E. O. 9070, 7 F. R. 1529; and 54 Stat. 1125, as amended.

§ 703.1 *Purpose.* Sections 703.1 to 703.5, inclusive, revise NHA Regulation 60-5F.¹ Regulation 60-5F sets forth the occupancy standards for public war housing and limits admission to vacancies in such housing to distressed veterans and distressed families of veterans and servicemen, with certain exceptions which must have prior approval by the Central Office. It is the purpose of §§ 703.1 to 703.5 inclusive, to place responsibility for approving such exceptions with the Regional Expeditors.

¹ NHA Regulation 60-5G is a revision of NHA 60-5F, 11 F. R. 2111-2112.

§ 703.2 *Eligibility for admission to vacancies in Lanham Act and other public war housing.* (a) In all PL-849 (Lanham Act) except mutual ownership and public conversion properties, in PL-9, 73, 353 (Temporary Shelter Acts), and in PL-781 (Naval Appropriation Act, 1941) projects, eligibility for admission to vacancies shall be in accordance with the provisions of this section until the admission of tenants is discontinued.

(b) In family dwelling projects determined to be of a temporary character pursuant to section 313 of the Lanham Act, demountable family dwelling projects which are to be removed from their present sites, temporary dormitories, trailers, and stop-gap accommodations, only distressed veterans and distressed families of veterans and servicemen shall be eligible for admission prior to the termination of such projects, except that the Regional Expediter may approve for specific projects (under this paragraph), the admission of persons and families in the following categories and order of preferences: *Provided, however,* That (except as stated in § 703.2 (d)) no such person or family may be admitted when a vacancy occurs if there is an eligible distressed veteran or distressed family of a veteran nor servicemen available to occupy the vacant accommodations:

(1) Any military personnel (other than in the above distressed families) and civilian employees and their families or dependents, without housing, of the War and Navy Departments, the Coast and Geodetic Survey, and the United States Public Health Service assigned to duty in the locality, and civilian employees of any private plants which are specifically determined by the Regional Expediter to be engaged in the completion of war contracts;

(2) Other distressed persons and families who are without housing as a result of the war or its orderly demobilization.

Upon termination of any project under this paragraph, no persons or families shall be admitted to vacancies in such project.

(c) In all projects not determined to be of a temporary character pursuant to section 313 of the Lanham Act, except demountable projects which are to be removed from their present sites, distressed veterans and distressed families of veterans and servicemen are eligible for admission to vacancies prior to the disposition of such projects, except as provided below. If there is no eligible distressed veteran or distressed family of a veteran or serviceman available to occupy the vacant accommodations, the following persons and families are eligible for admission in the following order of preferences:

(1) Any military personnel (other than in the above distressed families) and civilian employees and their families or dependents, without housing, of the War and Navy Departments, the Coast and Geodetic Survey, and the United States Public Health Service assigned to duty in the locality, and civilian employees of any private plants which are specifically determined by the Regional Expediter to be engaged in the completion of war contracts;

(2) Other distressed persons and families who are without housing as a result of the war or its orderly demobilization;

(3) Other persons and families in need of housing.

(d) In exceptional cases the Regional Expediter may approve for specific projects under this section:

(1) The exclusive reservation of dwellings for distressed military personnel or distressed civilian employees of the War or Navy Department or of private plants which are specifically determined by the Regional Expediter to be engaged in the completion of war contracts; or

(2) The admission on a parity with distressed veterans and distressed families of veterans and servicemen, of distressed civilian employees of the War and Navy Departments, distressed uniformed and civilian personnel of the Coast and Geodetic Survey and United States Public Health Service assigned to duty in the locality, and distressed civilian employees of private plants which are specifically determined by the Regional Expediter to be engaged in the completion of war contracts.

(e) A person otherwise eligible under this section who applies for occupancy for himself only, shall be eligible for only accommodations appropriate for single persons.

§ 703.3 Eligibility for admission to vacancies in other public housing under the jurisdiction of the National Housing Administrator. Eligibility for admission to vacancies in Defense Homes Corporation projects, public conversion properties, the 8 Lanham Act mutual ownership projects, Federally owned PL-671 and non-war housing projects of FPHA not leased to local housing authorities, shall be determined by the Federal Public Housing Authority subject to applicable Federal and local laws: *Provided, however,* That no family other than a distressed family of a veteran or serviceman shall be admitted when a vacancy occurs if there is a qualified distressed family of a veteran or serviceman available to occupy the vacant accommodations.

§ 703.4 Distressed veterans and families of servicemen and veterans. (a) Veterans and families of servicemen and veterans are "distressed" within the meaning of §§ 703.1 to 703.5, inclusive, and affected by unusual hardships if such persons are without housing, by reason of eviction, a low income or otherwise, and are unable to find in the area adequate housing within their financial reach. This includes a family of a returning veteran who is unable to find a dwelling in the area within his financial reach in which he can reestablish his family. Distressed families of servicemen or veterans include distressed families of deceased servicemen or veterans. As used in §§ 703.1 to 703.5, inclusive, a veterans means a person who has served in the military or naval forces of the United States during World War II and who has been discharged or released therefrom under conditions other than dishonorable.

(b) The finding made in § 701.12 (NHA Regulation 60-14, 10 F. R. 8685) is hereby

continued and broadened to reach as follows: "In accordance with Title V (Section 501) of the Lanham Act (Public 849, 76th Congress, as amended) and subject to subsequent determinations, it is hereby found that in those localities where distressed veterans or distressed families of servicemen or veterans are without adequate housing accommodations and are unable to find such accommodations within their financial reach, and acute shortage of housing exists within the meaning of said section 501 and that, because of war restrictions, permanent housing cannot be provided in sufficient quantities when needed."

§ 703.5 Establishment of fair rentals. The Federal Public Housing Commissioner is hereby authorized and directed to (a) fix fair rentals for housing made available under § 703.2 to distressed veterans and distressed families of servicemen and veterans, which rentals shall be within the financial reach of such distressed persons, and (b) fix fair rentals for housing made available under § 703.2 to other persons which shall be based upon the value of the housing as determined by the Commissioner: *Provided,* That in exceptional cases during the present emergency, he may adjust rentals subject to applicable law and contractual obligations.

This regulation shall be effective immediately.

WILSON W. WYATT,
Administrator.

[F. R. Doc. 46-16691; Filed, Sept. 16, 1946;
8:47 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter C—Miscellaneous Excise Taxes [T. D. 5544]

PART 182—INDUSTRIAL ALCOHOL

1. Pursuant to the provisions of sections 3030, 3070, 3101, 3103, 3105, 3113, 3121 (c), 3124 (a) (6), 3125 (a), 3150, 3171, and 3176 of the Internal Revenue Code (U. S. C., title 26, sections 3030, 3070, 3101, 3103, 3105, 3113, 3121 (c), 3124 (a) (6), 3125 (a), 3150, 3171, and 3176), Regulations 3, "Industrial Alcohol," (26 C. F. R., Part 182), are hereby amended, effective January 1, 1947, by revoking §§ 182.457 and 182.632 and amending the following sections: 182.342, 182.345 (a), 182.354, 182.355 (a), 182.359, 182.364 (b), 182.367 (a), 182.371 (d), 182.377 (d), 182.383 (d), 182.389 (d), 182.391, 182.398, 182.405, 182.410, 182.412, 182.437, 182.443, 182.450, 182.451, 182.455 (par. 1), 182.456, 182.458, 182.461, 182.464, 182.644 (e) (2), 182.787 (e), 182.1000 (a).

OPERATION OF INDUSTRIAL ALCOHOL PLANTS

DISTILLING MATERIALS

§ 182.342 Storekeeper-gauger's record of materials used. The storekeeper-gauger will report on Form 1452-A and Form 1452-B all materials used in the production of alcohol. Entries will be made from the proprietor's weight or quantity slips. The storekeeper-gauger will verify such slips by comparison with

the proprietor's commercial records and his Form 1442. The quantity of residue returned to a brewery will be entered by the proprietor on Form 1442 and by the storekeeper-gauger on Forms 1452-A and 1452-B, in accordance with the instructions on such forms. (Sec. 3103, I. R. C.)

§ 182.345 Removal or destruction of fermenting or distilling material—(a) Sale or transfer of fermenting material. If fermenting material is stored on the premises and it is desired to remove the same or any portion thereof from the premises for any purpose whatever, the storekeeper-gauger shall be notified by the proprietor, prior to the removal of such materials, of the kind and quantity to be removed and the reasons therefor. The removal of such materials will be entered by the proprietor on Form 1442 and by the storekeeper-gauger on Form 1452-A, in accordance with the instructions on the forms.

DISTILLATION

§ 182.354 Gauging of unfinished alcohol. At industrial alcohol plants where unfinished alcohol, high wines and low wines (hereinafter designated unfinished alcohol), in the course of distillation, are run into tanks in the plant for temporary deposit preparatory to completing the distillation thereof, and where twenty-four-hour supervision is maintained by the storekeeper-gauger, a daily gauge of such unfinished alcohol will not be required. Where twenty-four-hour supervision is not maintained, the storekeeper-gauger, prior to leaving the premises, will gauge (measure and proof) the unfinished alcohol retained in each tank, make an office record of the quantity and proof of the unfinished alcohol therein, and attach locks in accordance with § 182.918: *Provided,* That where such tanks are enclosed in a room or building equipped for locking in accordance with § 182.26, such room or building will be locked in lieu of gauging the unfinished alcohol. Upon his return to the premises the storekeeper-gauger will gauge the unfinished alcohol in the tanks previously gauged and compare the quantity and proof with the office record. Any material discrepancy will be reported immediately to the district supervisor. Except as authorized by the regulations in this part, unfinished alcohol may not be stored in such tanks, but may be deposited therein only temporarily in the course of distillation. At the close of the month the storekeeper-gauger will make an accurate gauge of all unfinished alcohol on hand and report the total quantity on Form 1452-B.

§ 182.355 Redistillation of alcohol—(a) Special permission must be obtained from the district supervisor. The district supervisor may, in his discretion, provided he deems it proper so to do and subject to such conditions and restrictions as he may impose, authorize the transfer of alcohol from a bonded warehouse to the industrial alcohol plant on the same premises for redistillation. In making request for such special authorization the applicant will submit to the district supervisor a statement, in triplicate, showing the quantity, source and condition of the alcohol, and the neces-

sity for redistillation. The district supervisor will note his approval, or disapproval, on all copies of the application. He will return the original to the proprietor, retain one copy for file, and attach the remaining copy to the Commissioner's copy of Form 1442 for the month in which the transfer is made.

DEPOSIT OF ALCOHOL IN RECEIVING TANKS

§ 182.359 *Immediate deposit required.* All finished alcohol must be deposited in receiving tanks in the receiving room immediately upon completion of manufacture. The quantity of finished alcohol produced will be determined and entered daily on Forms 1442 and 1452-A as indicated by the headings of the columns and the instructions printed on the forms.

COLLECTION AND REMOVAL OF DISTILLED WATER

§ 182.364 *Removal.* * * *

(b) *Supervision of removal.* All distilled water when drawn into packages for removal or when removed by pipe line must be inspected by the storekeeper-gauger and removed under his immediate supervision. The proprietor will enter all removals of distilled water on Form 1442 as indicated by the columns and lines and instructions on the form.

COLLECTION AND REMOVAL OF FUSEL OIL

§ 182.367 *Washing and purifying.*

(a) *Disposition of wash water.* The washwater used for washing and purifying the oil in the tanks may be conveyed directly to the still, or it may be run into a tank, the beer well, or the sewer, or it may be otherwise destroyed on the premises under the supervision of the storekeeper-gauger. If the washwater is run into the still, tank, or beer well, the quantity will not be entered on Form 1442 or 1452-A and B. If the washwater is run into the sewer or otherwise destroyed, the alcoholic content and the quantity will be reported on Form 1440 and included in the report of production on Forms 1442 and 1452-A.

§ 182.371 *Removal.* * * *

(d) *Record of removal.* The proprietor will prepare Form 1440 covering removals of fusel oil. Such removals will be entered on Forms 1442 and 1452-A, as indicated by the columns and lines and instructions on the forms.

PRODUCTION AND REMOVAL OF BUTYL ALCOHOL

§ 182.377 *Removal.* * * *

(d) *Record of removal.* The proprietor will report butyl alcohol removed from the premises on Form 1442 and the storekeeper-gauger on Forms 1452-A and 1452-B, as indicated by the columns and lines and the instructions on such forms.

PRODUCTION AND REMOVAL OF ACETONE

§ 182.383 *Removal.* * * *

(d) *Record of removal.* The proprietor will report acetone removed from the premises on Form 1442 and the storekeeper-gauger on Forms 1452-A and 1452-B, as indicated by the columns and lines and the instructions on such forms.

PRODUCTION AND REMOVAL OF ETHER

§ 182.389 *Removal.* * * *

(d) *Record of removal.* The proprietor will report ether removed from the premises on Form 1442 and the storekeeper-gauger on Forms 1452-A and 1452-B, as indicated by the columns and lines and the instructions on such forms.

RECOVERY AND REMOVAL OF CARBON DIOXIDE

§ 182.391 *Procedure.* Carbon dioxide may be recovered from fermenters and removed from the plant premises provided it is first thoroughly washed or scrubbed and purified to remove the alcohol therefrom. Where carbon dioxide is recovered, the washwater may be collected in a receiving tank and transferred by pipeline to a fermenter or to the beer well. Where the washwater is transferred to the fermenter, the transfer must be made prior to the testing of the beer by the storekeeper-gauger at the time of distillation. Where the washwater is transferred to the beer well after the calculated yield has been determined, the alcoholic content, the number of gallons, and the calculated yield thereof will be determined by the storekeeper-gauger and interlined on Form 1452-A. An approved ebulliometer shall be used in determining the alcoholic content of the dishwater. The number of gallons will be interlined in Part 1 of Form 1442. If the washwater is not utilized in the manufacture of alcohol, it will be run into the sewer or otherwise destroyed on the premises under the supervision of the storekeeper-gauger. Entry of such disposition will not be made on Forms 1442 and 1452-A and B.

SAMPLES OF ALCOHOL

§ 182.398 *Office record.* The storekeeper-gauger will keep an office record of the samples taken, giving the date, number, quantity in wine gallons, and the proof. The storekeeper-gauger will also report on Form 1452-B the total number and the quantity in wine and proof gallons of samples taken at the plant during the month.

DRAWING OFF, GAUGING, AND REMOVAL OF ALCOHOL

§ 182.405 *Gauging of alcohol.* All alcohol drawn from receiving tanks will be carefully gauged by the proprietor in the immediate presence of the storekeeper-gauger and reported on Form 1442. Alcohol drawn into barrels, drums, or similar packages, shall be gauged in accordance with the rules prescribed in the Gauging Manual. Alcohol to be transferred by pipe line from receiving tanks shall also be gauged in accordance with the rules prescribed in the Gauging Manual; the weight of the alcohol will be determined by means of weighing tanks, as provided in § 182.407. The storekeeper-gauger will verify the gauge (proof, weight, and gallonage) of all alcohol, as determined by the proprietor. (Sec. 3103, I. R. C.)

LOSSES OF ALCOHOL

§ 182.410 *Losses in receiving tanks.* Losses sustained from receiving tanks by theft or casualty, or any other extraor-

dinary or unusual losses, will be determined at the time the loss occurs, or is discovered, and the loss will be entered on Form 1442. Report of the loss will be made by the proprietor to the district supervisor immediately. Claim for remission of tax on all such losses, regardless of the percentage of loss, will be made by the proprietor.

§ 182.412 *Records.* Where alcohol is lost or destroyed on the industrial alcohol plant premises, appropriate entry and report of such loss or destruction will be made by the storekeeper-gauger on Form 1452-B, and by the proprietor on Form 1442.

OPERATIONS BY PROPRIETOR UNDER DIFFERENT TRADE NAMES OR STYLES

§ 182.437 *Records.* Separate records on Forms 1442 and 1488 (if any) will not be required for operations under each trade name but the proprietor must note on such records the trade names or styles under which he operated during the month and the dates of operations under each. The storekeeper-gauger will make a similar notation on his record, Form 1452-A. Where alcohol is produced under a trade name, the proprietor and the storekeeper-gauger must show on their records both the real name of the actual producer and the trade name under which the alcohol was produced.

ALTERNATE OPERATION AS REGISTERED DISTILLERY OR FRUIT DISTILLERY

§ 182.443 *Completion of records.* The outgoing proprietor will complete his records, Forms 1442 and 1488 (if any), and the storekeeper-gauger his record, Form 1452-A and Form 1452-B, as to the removal of basic materials from the premises, or the transfer of basic materials and mash and beer or other distilling material in process to the successor, as the case may be, and as to all alcohol produced by him. If unfinished alcohol is retained on the premises in locked tanks, as provided in § 182.439 (a), the proprietor will enter the quantity thereof on Form 1442, with explanatory notation that the same is unfinished alcohol temporarily retained on the premises pending resumption of operations as an industrial alcohol plant. The storekeeper-gauger will make similar entry on his Form 1452-B, with an explanatory notation in the statement of special operations or conditions. The proprietor and storekeeper-gauger will continue to file monthly reports on Forms 1442 and 1452-B, respectively, accounting for such unfinished alcohol during the period it is retained on the premises. Where the plant is operated as an industrial alcohol plant in two or more periods during the same month by the same proprietor, the operations of such proprietor will be recorded on the same Forms 1442 and 1488 (if any) and the same Forms 1452-A and 1452-B, by the storekeeper-gauger, but appropriate notations will be made on the separating lines to show the dates the industrial alcohol plant was operated as a registered distillery or fruit distillery and the names under which it was operated. (Sec. 3103, I. R. C.)

CHANGES IN PROPRIETORSHIP

§ 182.450 *Records.* The outgoing proprietor shall enter on his records, Forms 1442 and 1488 (if any), all materials and all unfinished alcohol outside the receiving room transferred to his successor, who shall in turn enter such items on his records as received from his predecessor. Where the change in proprietorship is of a permanent nature, the outgoing proprietor shall complete Forms 1442 and 1488 (if any), and submit a final report on such forms to the district supervisor. Appropriate notations will be made on such final reports showing the change in proprietorship and the date thereof. Where the plant is operated under alternating proprietorships, each proprietor shall keep a separate record on Forms 1442 and 1488 (if any). When operations are conducted by the same proprietor in two or more periods during the same month, the operations by such proprietor will be entered on the same Forms 1442 and 1488 (if any), appropriate notations being made on the separating lines to show the names of the alternating proprietors and the dates the industrial alcohol plant was operated by them. At the end of the month reports will be submitted to the district supervisor on such forms in accordance with §§ 182.455 to 182.461, inclusive. The storekeeper-gauger will keep records and render returns on Forms 1452-A and 1452-B in accordance with the procedure prescribed herein for the keeping of records and rendering of reports by the proprietor. (Sec. 3103, I. R. C.)

§ 182.451 *Succession by fiduciary.* Where a change in proprietorship is brought about by operation of law, the administrator, executor, receiver, trustee, assignee, or other fiduciary may not continue the business until the required qualifying documents have been filed and approved and a basic permit issued. In the case of such change, the fiduciary shall make appropriate notation on Forms 1442 and 1488 (if any) of his succession and the date thereof, and the storekeeper-gauger will make a similar notation on Forms 1452-A and 1452-B.

PROPRIETOR'S RECORDS AND REPORTS

§ 182.455 *General.* The proprietor of every industrial alcohol plant shall keep a monthly record on Forms 1442 and 1488 (if a bonded warehouse is not maintained on the industrial alcohol plant premises), in triplicate, as hereinafter provided. All of the information called for in each form, as indicated by the headings of the form, and lines of the form and the instructions printed thereon or issued in respect thereto, and as required by the regulations in this part, will be given. Entries will be made on the forms on the day on which the transactions occur, except that summary entries will be made at the close of the month.

§ 182.456 *Form 1442.* The proprietor of every industrial alcohol plant shall keep a record on Form 1442, "Proprietor's Report of Operations," showing the kind and quantity of fermenting or distilling materials received and fermented or mashed or distilled each day. The saccharine content of molasses mashed

must be entered when the same is available. The alcohol content of fermented liquor, wine, or other distilling materials must be shown, and the same shall be determined from samples taken under such conditions as will afford a proper test of the particular lot or lots distilled. Washwater recovered from carbon dioxide will be reported in accordance with § 182.391. Washwater recovered from fusel oil will be reported in accordance with § 182.367. Where chemicals such as isopropyl alcohol, butyl alcohol, acetone, ether, or other products are produced in connection with the production of ethyl alcohol, the quantity produced and removed from the premises will be entered on Form 1442. Where, pursuant to special permission from the Supervisor, alcohol is transferred to the industrial alcohol plant for redistillation from a bonded warehouse on the plant premises, the quantity in proof gallons will be entered as a special entry on Form 1442 under the heading "Statement of Materials Received During Month." (Secs. 3103, 3171, I. R. C.)

§ 182.458 *Form 1488.* The proprietor of every industrial alcohol plant in connection with which a bonded warehouse is not maintained shall keep a record on Form 1488, "Proprietor's Report of Alcohol Disposed of," of all alcohol disposed of in such plant. Entries will be made as indicated by the columns and lines and instructions on the form. (Secs. 3103, 3171, I. R. C.)

§ 182.461 *Filing of forms.* The proprietor shall file Forms 1442 and 1488 (if any), separately in chronological order by months and in bound form, as a permanent record available for inspection by Government officers at any reasonable time.

PURCHASE OF DISTILLED SPIRITS ABANDONED TO THE UNITED STATES

§ 182.464 *Receipt at industrial alcohol plant.* When spirits so purchased are to be redistilled prior to denaturation, they should be received at the industrial alcohol plant, where they will be redistilled and transferred to the denaturing plant promptly. The spirits will be kept separate from other spirits in the industrial alcohol plant not intended for denaturation. The receipt of the spirits at the industrial alcohol plant and their redistillation and transfer to the denaturing plant will be reported by the proprietor on the industrial alcohol plant, bonded warehouse, and denaturing plant records, Forms 1442, 1488 (if any), 1443-A, 1468-A, and by the storekeeper-gauger on Forms 1452-A and 1452-B, with proper explanatory note.

OPERATION OF INDUSTRIAL ALCOHOL BONDED WAREHOUSES

RECORDS AND REPORTS OF PROPRIETOR

§ 182.644 *Form 1441.* * * *

(e) *Special entries.* * * *

(2) *Return of alcohol for redistillation.* Special permission of the district supervisor must be procured for the transfer of alcohol to an industrial alcohol plant on the same premises for redistillation, in accordance with § 182.355. The quantity transferred and the date of

the district supervisor's approval of the application will be reported on Form 1441. (Secs. 3101, 3171, I. R. C.)

OPERATION OF INDUSTRIAL ALCOHOL DENATURING PLANTS

RECORDS AND REPORTS OF PROPRIETOR

§ 182.787 *Forms 129 and 1468-A, B, C, D, E, and F.* * * *

(e) *Disposition of forms.* The proprietor will deliver all three copies of the forms, duly subscribed and sworn to (except Forms 1468-B and 1468-D), to the storekeeper-gauger on or before the 10th day of the month succeeding that for which the forms are rendered. The storekeeper-gauger will examine the forms, and if they are complete in every respect, and if the quantities of denaturants received and shipped out, the shipment of completely denatured alcohol, the quantities of recovered alcohol restored and the losses in restoration, and the quantities on hand last of month are all correctly reported, he will initial all copies of the forms, return one copy of each form to the proprietor, and forward two copies of each form to the district supervisor. The district supervisor, in his discretion, may extend (to the 10th day of the month) the time for delivering the monthly reports, Forms 1442, 1452-A and 1452-B, 1488, 1443-A and 1443-B, for the industrial alcohol plant and bonded warehouse on the denaturing plant premises, in order that all of the monthly reports for the same premises may be submitted together.

IMPORTATION OF ALCOHOL FOR INDUSTRIAL PURPOSES

§ 182.1000 *Records—(a) Industrial alcohol plant.* All imported alcohol requiring redistillation received at an industrial alcohol plant, either direct from customs custody or by transfer from another plant or warehouse, except where received in packages, shall be deposited in closed locked tanks in the alcohol plant. Such alcohol may then be redistilled and withdrawn, or withdrawn without redistillation, in the manner prescribed by the regulations in this part. All transactions involving such alcohol shall be reported on separate Forms 1442, 1452-A and B, and 1488 where the proprietor does not operate a bonded warehouse. Such reports shall be marked "Imported Alcohol Transactions." Where the alcohol is received direct from customs custody, the country of exportation shall be stated on Form 1442. All removals of imported alcohol shown on Form 1488 will be reported by the district supervisor in a separate monthly account, Form 1487, appropriately modified where necessary. Such account shall be designated "Imported Alcohol Transactions."

(Secs. 3105, 3124 (a) (6), and 3176, I. R. C.)

[SEAL] JOSEPH D. NUNAN, JR.,
Commissioner of Internal Revenue.

Approved: September 10, 1946.

JOSEPH J. O'CONNELL, JR.,
Acting Secretary of the Treasury.

[F. R. Doc. 46-16695; Filed, Sept. 16, 1946;
8:50 a. m.]

TITLE 29—LABOR

Chapter IX—Department of Agriculture
(Agricultural Labor)

[Rev. Supp. 21, Amdt. 1]

PART 1106—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF FLORIDA

WORKERS ENGAGED IN HARVESTING OF CITRUS FRUIT IN THE STATE OF FLORIDA

Section 1106.1 (Revised Supplement 21, 11 F. R. 8860) is hereby amended as follows:

1. A new subdivision (v) shall be added at the end of paragraph (c) (2) which shall read as follows:

(v) 2 cents per standard field box or equivalent measure or weight for loading in truck in bulk in grove.

2. At the end of paragraph (f) and before paragraph (g) the following paragraph shall be added:

Requests for adjustments or appeals for relief from hardships as provided in the specific wage ceiling regulations shall be submitted on Form LR 1701-2 to the Florida USDA Wage Board or its designated representatives. Blank forms LR 1701-2 may be secured from the Florida USDA Wage Board, Lake Wales, Florida.

Effective date. This Amendment 1 to Revised Supplement 21 shall become effective at 12:01 a. m. eastern standard time, August 12, 1946.

(56 Stat. 765; 50 U. S. C. 961 *et seq.* (Supp. IV); 57 Stat. 63, 50 U. S. C. 964 (Supp. IV); 58 Stat. 632; Pub. Law 108, 79th Cong.; E. O. 9250, 7 F. R. 7871; E. O. 9328, 8 F. R. 4681; E. O. 9577, 10 F. R. 8087; E. O. 9620, 10 F. R. 12023; E. O. 9651, 10 F. R. 13487; E. O. 9697, 11 F. R. 1691; regulations of the Economic Stabilization Director, 8 F. R. 11960, 12139, 16702; 9 F. R. 6035, 14547; 10 F. R. 9478, 9628; 11 F. R. 2517; regulations of the Secretary of Agriculture, 9 F. R. 655, 12117, 12611; 10 F. R. 7609, 9581; 9 F. R. 831, 12807, 14206; 10 F. R. 3177; 11 F. R. 5903)

Issued this 10th day of September 1946.

[SEAL] WILSON R. BUIE,
Director, Labor Branch, Production and Marketing Administration.

[F. R. Doc. 46-16686; Filed, Sept. 16, 1946; 8:48 a. m.]

[Supp. 23, Amdt. 1]

PART 1111—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF WASHINGTON

WORKERS ENGAGED IN PICKING EVERGREEN BLACKBERRIES IN PIERCE COUNTY, WASH.

Section 1111.6 (Supp. No. 23) issued August 24, 1944 (9 F. R. 10349) is hereby amended as follows:

1. Paragraph (b) is hereby amended to read as follows:

(b) Piece rates—\$1.00 per 30-lb. crate, plus a bonus of 25¢ per crate if the

worker continues to pick Evergreen blackberries throughout the season.

2. At the end of paragraph (c) and before paragraph (d) the following paragraph shall be added:

Requests for adjustments or appeals for relief from hardships as provided in the specific wage ceiling regulations shall be submitted on Form LR 1701-2 to the Washington USDA Wage Board or its designated representatives. Blank forms LR 1701-2 may be secured from the Washington USDA Wage Board, 235 Liberty Building, Yakima, Washington.

This Amendment 1 to Supplement 23 shall become effective at 12:01 a. m., Pacific standard time, September 9, 1946.

Issued this 10th day of September 1946.

[SEAL] WILSON R. BUIE,
Director, Labor Branch, Production and Marketing Administration.

[F. R. Doc. 46-16687; Filed, Sept. 16, 1946; 8:49 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Office of International Trade, Department of Commerce

Subchapter B—Export Control

[Amdt. 245]

PART 802—GENERAL LICENSES

EXPORTATION OF RELIEF SHIPMENTS

Section 802.30 *Exportation of relief shipments*, "RLS" is hereby amended to read as follows:

§ 802.30 *Exportation of relief shipments*; "RLS." (a) A general license designated "RLS" is hereby granted to relief agencies recorded with the Advisory Committee on Voluntary Foreign Aid authorizing the exportation of the commodities set forth in paragraph (b) of this section for relief or charity to all destinations: *Provided*, That such an agency has been recommended by the Advisory Committee on Voluntary Foreign Aid to the Office of International Trade as qualified to carry out a program of relief or charity to the particular country to which the exportation is to be made and is qualified to receive and assume full responsibility of such commodities and to assure non-commercial distribution of such commodities free of cost to the person or persons ultimately receiving them: *And provided further*, That in the case of exportations to Germany under this general license the shipments are consigned to the United Nations Relief and Rehabilitation Administration or to a consignee in care of United Nations Relief and Rehabilitation Administration in Germany.

(b) The following specified commodities and all commodities which may be exported under the general license set forth in § 802.7 of this part to destinations in Country Group K may be exported under the provisions of this general license:

Dept. of
Comm.
Sched. B
No.

Commodity

999810	Food, except: Sugar, refined. Rice. Butter. Animal oils and fats, edible. Vegetable oils and fats, edible.
999820	New and used clothing (including shoes).
999830	New and used bedding and blankets.
999840	Drugs and biological supplies, except: Medicinal and pharmaceutical preparations on the list of commodities set forth in § 801.2 (b) of this subchapter.
999850	New and used surgical, sanitary and hospital supplies and equipment.
999860	New and used ambulance and other motor equipment, except: New and used passenger cars. New trucks. Storage batteries.
999890	Cotton textiles and all other new and used commodities not classified in the above categories, except: Soap. Animal and fish oils and greases, inedible. Vegetable oils and fats, inedible. All other commodities which are included on the list of commodities set forth in § 801.2 (b) of this subchapter.

(c) The general license symbol "RLS" shall be plainly written on the outside of the package or container and on the Shipper's Export Declaration. The inscription of the symbol "RLS" on the package or container shall constitute a certification by the exporter that the shipment complies with the foregoing provisions of the general license.

(Sec. 6, 54 Stat. 714; 55 Stat. 206; 56 Stat. 463; 58 Stat. 671; 59 Stat. 270; Pub. Law 389, 79th Congress; E. O. 8900, 6 F. R. 4795; E. O. 9361, 8 F. R. 9861; Order No. 1, 8 F. R. 9938; E. O. 9380, 8 F. R. 13081; E. O. 9630, 10 F. R. 12245; Order No. 390, 10 F. R. 13130)

Dated: September 9, 1946.

FRANCIS MCINTYRE,
Acting Director,
Requirements and Supply Branch.

[F. R. Doc. 46-16646; Filed, Sept. 16, 1946; 8:51 a. m.]

Chapter XI—Office of Price Administration

PART 1351—FOOD AND FOOD COMMODITIES

[MPR 579; Amdt. 22]

CERTAIN SPECIES OF FRESH AND FROZEN FISH AND SEAFOOD

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 579 is amended in the following respects:

¹ 10 F. R. 2300, 2684, 3555, 4035, 4348, 4536, 5905, 5658, 9432, 9880, 11579, 12403, 12650, 13403, 14293, 14705; 11 F. R. 1297, 2823, 4162, 7415, 9137.

1. In table II A in section 10.1 (c), footnote reference 10 is deleted from Schedule 8.

2. In table II A in section 10.1 (c), footnote 10 is added to Schedule 11 (b) (Silver other than troll caught delivered ex-vessel anywhere in Washington or Oregon other than Puget Sound area).

3. In section 10.1 (c), footnote 10 is amended to read as follows:

"Two cents per pound may be added to the Column A price for deliveries of this fish to canners for canning purposes. This applies to Sockeye (schedule 12), Steelhead (schedule 13) and Silver delivered ex-vessel anywhere in Washington or Oregon except the Puget Sound area (schedule 11 (b))."

This amendment shall become effective September 12, 1946, except that a producer may charge and a canner may pay the addition provided by footnote 10 following table II A for the fish to which such footnote is applicable even though such fish were delivered to him prior to September 12, 1946, but on or after August 31, 1946.

Issued this 12th day of September 1946.

Approved: September 11, 1946.

GEOFFREY BAKER,
Acting Administrator.

CHARLES F. BRANNAN,
Acting Secretary of Agriculture.

STATEMENT OF THE CONSIDERATIONS INVOLVED IN THE ISSUANCE OF AMENDMENT NO. 22 TO MAXIMUM PRICE REGULATION 579

The accompanying amendment extends indefinitely beyond August 31, the 2¢ increase in Steelhead and Sockeye salmon made by Amendment 19 to MPR 579 and increases the fishermen's prices for Silver Salmon other than troll caught delivered in Washington or Oregon outside the Puget Sound area, from 9½¢ to 11½¢.

The recent amendment to MPR 265 increased canned salmon prices in order to increase production in the Alaskan area. That increase was also applied to canned salmon produced in the Pacific Coast states which comprise less than 10 percent of the total pack last year. That increase makes it possible to make this increase in fishermen's prices on the more important species in the Puget Sound area without any further effect on canned salmon prices. This action has been requested by the Department of Agriculture as well as by fishermen and canners. It will tend to bring fishermen's and canners' prices more nearly in line.

This action is made retroactive to August 31. It will leave the canners and fishermen free to renegotiate the prices for salmon during the few days between August 31 and the issuance of this amendment during which the prices of Sockeye and Steelhead were automatically reduced by the expiration of footnote 10.

Issued this 12th day of September 1946.

GEOFFREY BAKER,
Acting Administrator.

[F. R. Doc. 46-16694; Filed, Sept. 16, 1946; 8:47 a. m.]

PART 1499—COMMODITIES AND SERVICES
[SR 14C, Amdt. 19]

MODIFICATION OF MAXIMUM PRICES ESTABLISHED BY GENERAL MAXIMUM PRICE REGULATION FOR CERTAIN FOODS AND BEVERAGES

Correction

In Federal Register Document 46-13424, appearing at page 8449 of the issue for Saturday, August 3, 1946, the date in the fourth line of § 4.3 (c) should read "August 1, 1946".

PART 1351—FOOD AND FOOD PRODUCTS

[2d Rev. MPR 150, Amdt. 16]

FINISHED RICE AND RICE MILLING BY-PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Second Revised Maximum Price Regulation 150, is amended in the following respect:

A new variety is inserted in the table in section 9 (a) (1) immediately after the variety "Nira" with the following name and prices:

Variety	Milled rice	Unpolished rice	Brown rice	Parboiled rice
Java, long--	\$8.25	\$7.40	\$6.75	\$9.05

This amendment shall become effective September 21, 1946.

Issued this 16th day of September 1946.

PAUL A. PORTER,
Administrator.

Approved: September 6, 1946.

CHARLES F. BRANNAN,
Acting Secretary of Agriculture.

STATEMENT OF THE CONSIDERATIONS INVOLVED IN THE ISSUANCE OF AMENDMENT NO. 16 TO 2D REVISED MAXIMUM PRICE REGULATION 150

A new variety of rice, designated as "Java, long", is now being produced in the southern rice producing area in commercial quantities. The Department of Agriculture has advised this office that this new variety is more nearly comparable to "Rexoro" than to any other variety. Accordingly, the accompanying amendment establishes the same maximum prices for this variety as are presently provided for "Rexoro."

In the opinion of the Administrator, the maximum prices established by this amendment are generally fair and equitable and comply with all other requirements of the Emergency Price Control Act of 1942, the Stabilization Act of 1942, both as amended, and all applicable Executive Orders.

Issued this 16th day of September 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-16857; Filed, Sept. 16, 1946; 11:41 a. m.]

PART 1377—WOODEN CONTAINERS
[2d Rev. MPR. 195, Corr. to Amdt. 5]

INDUSTRIAL WOODEN BOXES

Amendment 5 to 2d Revised Maximum Price Regulation 195 is corrected as follows:

The first numbered paragraph in the amended section 1 is corrected to read as follows:

1. The maximum prices for sales by a manufacturer computed in accordance with sections 3, 4, 5 and 5a of this regulation, and

This correction shall become effective August 27, 1946.

Issued this 16th day of September 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-16859; Filed, Sept. 16, 1946; 11:42 a. m.]

PART 1392—PLASTICS

[MPR 523, Amdt. 6]

PLASTICS PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Maximum Price Regulation 523 is amended in the following respects:

1. In section 2 (a) immediately after item (3) of that section add item (3) (a) to read as follows:

(a) Completed consumers articles made from plastic flexible sheetings. ("Plastic flexible sheetings" as used herein means any plastic sheeting having an apparent modulus of elasticity of less than 50,000 pounds per square inch at 25° centigrade determined in accordance with standard test No. D747-43T of the American Society for Testing Materials.)

This amendment shall become effective September 21, 1946.

Issued this 16th day of September 1946.

PAUL A. PORTER,
Administrator.

STATEMENT OF THE CONSIDERATIONS INVOLVED IN THE ISSUANCE OF AMENDMENT 6 TO MAXIMUM PRICE REGULATION 523

Section 2 of Maximum Price Regulation 523 (Plastics Products) contains a list of the commodities excluded from the regulation. Typically excluded are certain consumers goods. The exclusions, however, are not sufficiently broad to remove from the coverage of the regulation consumers goods made from plastic flexible sheetings, as, for example, plastic table cloths, window curtains, bath room shower curtains, etc. These articles are outside of the intended scope of "plastics products" subject to Maximum Price Regulation 523, and accordingly the Administrator is, by this action, specifically excluding them from the regulation. Because there are vari-

ous degrees of flexibility and an equally large variety of "flexible plastics sheetings" the Administrator is incorporating in the exclusion a definition of the term "flexible plastic sheetings" based on a standard test of the American Society for Testing Materials, a standard and a definition with which the plastic industry is familiar.

Issued this 16th day of September 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-16861; Filed, Sept. 16, 1946;
11:42 a. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 518, Amdt. 12]

ROUGH RICE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 518 is amended in the following respects:

1. Paragraph (a) (7) of section 3 is amended to read as follows:

(7) "Country shipping point" is a place having facilities such as a warehouse or grain elevator equipped with suitable scales or railroad facilities customarily used for the storage or marketing and loading for shipment of rough rice, except that in the State of California any point at which there is located a rice dryer shall also be considered a country shipping point. If a farm has such facilities located thereon, that farm shall be deemed a country shipping point as to rice grown on it.

2. A new variety of rough rice is inserted in the table in Section 4 (a) immediately after the variety "Bluebonnet" with the following name and prices:

Variety	Per barrel	Per bushel
Java, long.....	\$7.30	\$2.028

This amendment shall become effective September 21, 1946.

Issued this 16th day of September 1946.

PAUL A. PORTER,
Administrator.

Approved: September 6, 1946.

CHARLES F. BRANNAN,
Acting Secretary of Agriculture.

STATEMENT OF THE CONSIDERATIONS INVOLVED IN THE ISSUANCE OF AMENDMENT No. 12 TO MAXIMUM PRICE REGULATION 518

A new variety of rice, designated as "Java, long", is now being produced in the southern rice producing area in commercial quantities. The Department of Agriculture has advised this office that this new variety is more nearly comparable to "Rexoro" than to any other variety. Accordingly, the accompanying amendment establishes a maximum price for

this new variety of \$7.30 per barrel, or \$2.028 per bushel. This is the identical price now applicable to sales of "Rexoro."

In addition, the accompanying amendment redefines the term "country shipping point." As presently used in the regulation, a "country shipping point" is a place customarily used for storage, marketing and loading for shipment of rough rice. It has always been the practice of farmer-producers to sell and deliver their rough rice to buyers at railroad sidings or spurs. Suitable scales for weighing are generally provided at these shipping points, but they do not necessarily have storage facilities. In order to conform to accepted trade practice, the term has been redefined to mean a place customarily used for storage or for marketing and loading for shipment.

In the opinion of the Administrator, the accompanying amendment is generally fair and equitable and complies with all other requirements of the Emergency Price Control Act of 1942, the Stabilization Act of 1942, both as amended, and all applicable Executive Orders.

Issued this 16th day of September 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-16860; Filed, Sept. 16, 1946;
11:42 a. m.]

TITLE 36—PARKS AND FORESTS

Chapter II—Forest Service, Department of Agriculture

[Admin. Order 1]

PART 201—NATIONAL FORESTS

DESIGNATING CERTAIN LANDS TO BE ADMINISTERED AS PART OF SHASTA NATIONAL FOREST, CALIFORNIA

Whereas, the following described lands situate within the State of California have been acquired by the United States as donations under the authority of the act of March 1, 1911 (36 Stat. 961), as amended and supplemented by the act of June 7, 1924 (43 Stat. 653):

MOUNT DIABLO MERIDIAN

T. 44 N., R. 1 E.,
Sec. 9, SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 10, SE $\frac{1}{4}$;
Sec. 28, N $\frac{1}{2}$ S $\frac{1}{2}$;
Sec. 29, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$.
T. 44 N., R. 2 W.,
Sec. 3, W $\frac{1}{2}$ W $\frac{1}{2}$;
Sec. 4, Lots 1, 2, 3, 4, SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$,
N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 5, E $\frac{1}{2}$, E $\frac{1}{2}$ W $\frac{1}{2}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 6, NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$,
SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 9, N $\frac{1}{2}$, SW $\frac{1}{4}$, SE $\frac{1}{4}$ except 18.29 acres as described in deed dated May 14, 1937, recorded June 26, 1937 in Book 72, page 202 e. s. of the records of Siskiyou County, California;
Sec. 16, N $\frac{1}{2}$ NW $\frac{1}{4}$.
T. 43 N., R. 3 W.,
Sec. 4, That portion described as follows:
Beginning at the section corner common to Sections 33 and 34, T. 44 N., R. 3 W., M. D. M. and Sections 4 and 3, T. 43 N., R. 3 W., M. D. M., thence in a westerly direction along the Township line, a distance of 1,408 feet more or less to a point on the East boundary of the Southern

Pacific Railroad right-of-way, where said east boundary of said right-of-way intersects this township line, thence in a southeasterly direction along the East boundary of the Southern Pacific right-of-way, a distance of 5,265 feet more or less to a point on the section line common to Sections 4 and 3, where said east boundary of said right-of-way intersects this section line, thence in a northerly direction along said section line a distance of 5,000 feet more or less to the point of beginning and containing 91 acres more or less;

Sec. 12, NE $\frac{1}{4}$.

T. 44 N., R. 3 W.,

Sec. 1, SE $\frac{1}{4}$ SE $\frac{1}{4}$;

Sec. 12, E $\frac{1}{2}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$;

Sec. 13, E $\frac{1}{2}$, E $\frac{1}{2}$ NW $\frac{1}{4}$;

Sec. 22, That parcel located in the South $\frac{1}{2}$ of Section 22, and described as beginning at the section corner common to Sections 22, 23 and 27, 26, T. 44 N., R. 3 W., M. D. M., thence in a northerly direction along the section line common to Sections 22 and 23, a distance of 1105 feet more or less to a point on the south boundary of the Southern Pacific Railroad right-of-way where said south boundary of said right-of-way intersects said section line, thence in a southwesterly direction along the south boundary of the Southern Pacific Railroad right-of-way, a distance of 5260 feet more or less to a point on the section line common to Sections 22 and 27, said point being 450 feet more or less Easterly along said section line from the section corner common to Sections 21, 22 and 28, 27, thence in an easterly direction along said section line a distance of 4840 feet more or less to the point of beginning and containing 77 acres more or less;

Sec. 23, That portion described as follows: Beginning at the section corner common to Sections 23, 24, 25 and 26, T. 44 N., R. 3 W., M. D. M., thence in a northerly direction along the section line common to Sections 23 and 24, a distance of 650 feet more or less to a point on the south boundary of the Southern Pacific Railroad right-of-way, where south boundary of said right-of-way intersects said section line, thence in a westerly direction along the southern boundary of the Southern Pacific Railroad right-of-way, a distance of 5900 feet more or less to a point on the section line common to Sections 22 and 23, where said south boundary of said right-of-way intersects said section line, thence in a southerly direction a distance of 1105 feet more or less to the section corner common to Sections 22, 23 and 27, 26, thence in an easterly direction along the section line common to Sections 23 and 26, a distance of 5280 feet more or less to the point of beginning, and containing 129 acres more or less;

Sec. 24, That portion described as follows: Beginning at the section corner common to Sections 23, 24 and 26, 25, T. 44 N., R. 3 W., M. D. M., thence in a northerly direction a distance of 650 feet more or less to a point on the south boundary of the Southern Pacific Railroad right-of-way, where said south boundary of said right-of-way intersects said section line, thence in a northeasterly direction along the south boundary of the Southern Pacific Railroad right-of-way, a distance of 6,316 feet more or less to a point on the section line common to Section 24, T. 44 N., R. 3 W., M. D. M., and Section 19, T. 44 N., R. 2 W., M. D. M., where said south boundary of said right-of-way intersects said section line, thence in a southerly direction along said section line a distance of 2,375 feet more or less to the section corner common to Sections 24, 25, T. 44 N., R. 3 W., M. D. M.,

thence in a westerly direction along the section line common to Sections 24, 25, T. 44 N., R. 3 W., M. D. M., a distance of 5,350 feet more or less to the point of beginning and containing 144 acres more or less;

E $\frac{1}{2}$ north of the north boundary of the Southern Pacific Railroad right-of-way;

Sec. 28, That portion of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ described as following: Beginning at corner No. 1, a point on west boundary of right-of-way of Highway No. 97, which point is a round concrete monument 9' in diameter, marked "SE Corner", and being the SE corner of the Grass Lake Highway Maintenance Station of the State of California, and from which the original quarter section corner between Sections 27 and 28, T. 44 N., R. 3 W., M. D. M., bears S. 78°46' E., 2,401.0 feet, more or less; thence S. 23°50' W., 535.80 feet to corner No. 2, a 2' square white stake set in mound of rocks and projecting 0.5 feet above ground, being the intersection of the West line of the right-of-way of the said California State highway with the S line of the NE $\frac{1}{4}$ of Section 28, T. 44 N., R. 3 W., M. D. M.; thence S. 89°30' W., 101.88 feet to corner No. 3, and SE corner of the E $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 28, T. 44 N., R. 3 W., M. D. M., and which is a 2' square redwood stake projecting 0.5 feet above the ground, in a mound of rocks; and from which the quarter section corner common to Sections 28 and 33 of T. 44 N., R. 3 W., M. D. M., bears S. 0°12' E., 2669.0 feet, thence N. 0°12' W., 667.2 feet, to corner No. 4, a 2' square redwood stake projecting 0.5 feet above ground and set in a mound of rocks, said corner No. 4 being also the NE corner of E $\frac{1}{2}$ of SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 28, T. 44 N., R. 3 W., M. D. M., thence S. 40°10' E., 72.8 feet to the SW corner of said highway maintenance station, being a round concrete monument 9' in diameter, marked SW corner, thence, S. 66°10' E., 300 feet, to corner No. 1, point of beginning, E $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$;

Sec. 33, That portion described as follows: Beginning at the section corner common to Sections 28, 27, and 33, 34, T. 44 N., R. 3 W., M. D. M., thence in a westerly direction along the section line common to Sections 28 and 33, a distance of 1720 feet more or less to a point on the east boundary of the Southern Pacific Railroad right-of-way, where said east boundary of said right-of-way intersects said section line, thence in a southerly direction along the East boundary of the Southern Pacific Railroad right-of-way, a distance of 5520 feet more or less to a point on the Section line common to Section 33, T. 44 N., R. 3 W., M. D. M., and Section 4, T. 43 N., R. 3 W., M. D. M., where said east boundary of said right-of-way intersects said section line, thence in an easterly direction along the township line a distance of 1410 feet more or less to the section corner common to Sections 33, 34, T. 44 N., R. 3 W., M. D. M., and Sections 4 and 3, T. 43 N., R. 3 W., M. D. M., thence in a northerly direction along the section line between Sections 33 and 34, T. 44 N., R. 3 W., M. D. M., a distance of 5280 feet more or less to the point of beginning, containing 218 acres more or less, and

Whereas, the aforesaid lands are subject to all laws applicable to lands acquired under the above mentioned act of March 1, 1911, and

Whereas, pursuant to the provisions of section 7, of the aforementioned act of June 7, 1924, lands acquired thereunder may be administered as National Forest

lands jointly with an existing National Forest, and

Whereas, the above described lands are so situated that the public interest and economy will be best served by having them administered as a part of the Shasta National Forest;

Now, therefore, I, Charles F. Brannan, Acting Secretary of Agriculture, by virtue of the authority vested in me by the aforementioned acts, do hereby order that the lands described above be administered as a part of and jointly with other National Forest lands included within the exterior boundaries of the Shasta National Forest.

This order shall become effective as of October 1, 1946.

In testimony whereof, I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed, in the City of Washington, this 11th day of September 1946.

[SEAL] CHARLES F. BRANNAN,
Acting Secretary of Agriculture.

[F. R. Doc. 46-16685; Filed, Sept. 16, 1946;
8:48 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service, Department of the Interior

Subchapter Q—Alaska Commercial Fisheries

PART 220—SOUTHEASTERN ALASKA AREA FISHERIES OTHER THAN SALMON

HERRING CATCH LIMITATIONS; EXCEPTIONS

Section 220.3 *Herring catch limitations; exceptions*, is hereby amended to substitute "350,000 barrels" in place of "300,000 barrels" in the text of the section.

OSCAR L. CHAPMAN,
Acting Secretary of the Interior.

SEPTEMBER 11, 1946.

[F. R. Doc. 46-16644; Filed, Sept. 16, 1946;
8:52 a. m.]

Notices

DEPARTMENT OF THE TREASURY.

Bureau of Customs.

[T. D. 51532]

STANDARD NEWSPRINT PAPER

TERMINATION OF CERTAIN BENEFITS

Benefits provided for in section 507, Revenue Act of 1943, terminated as a result of revocation of Direction 7 to Priorities Regulation 32 of the Civilian Production Administration.

The specifications for standard newsprint paper, which is free of duty under paragraph 1772, Tariff Act of 1930, were enlarged by section 507, Revenue Act of 1943, T. D. 51012, the provisions of which were made applicable to paper entered, or withdrawn from warehouse, for consumption after the date of the latter statute and while United States newspaper publishers are limited by law or

governmental order or regulation as to the amount of paper they may use in the publication of their papers.

Direction 7 to Priorities Regulation 32 of the Civilian Production Administration, which provided for a limitation such as is mentioned in section 507, was revoked by an order issued July 1, 1946 (11 F. R. 7334), and the Bureau has been advised by the Civilian Production Administration that none of its orders or regulations remaining in effect provide for a limitation upon the amount of newsprint paper used. A careful investigation has satisfied the Bureau that no other law or governmental order or regulation within the purview of the said section 507 has limited United States newspaper publishers since June 30, 1946, as to the amount of paper they may use in the publication of their papers.

In view of the foregoing, newsprint paper entered, or withdrawn from warehouse, for consumption on and after July 1, 1946, is not entitled to the benefits of section 507 of the revenue act, and to be free of duty under paragraph 1772 of the tariff act the paper must meet the specifications formerly in effect. Please be governed accordingly.

[SEAL] W. R. JOHNSON,
Commissioner of Customs.

Approved: September 10, 1946.

JOSEPH J. O'CONNELL, Jr.,
Acting Secretary of the Treasury.

[F. R. Doc. 46-16690; Filed, Sept. 16, 1946;
8:50 a. m.]

DEPARTMENT OF THE INTERIOR.

Coal Mines Administration.

[Order CMAN-13]

BITUMINOUS COAL MINES

CHANGES IN TERMS AND CONDITIONS OF EMPLOYMENT

Whereas possession of certain coal mines producing bituminous coal was taken pursuant to Executive Order 9728 by Order No. 2200B of the Secretary of the Interior dated August 2, 1946; and

Whereas certain changes in terms and conditions of employment at said mines were ordered by the National Wage Stabilization Board on August 22, 1946 pursuant to section 5 of the War Labor Disputes Act which order was approved by the President on August 26, 1946.

Now therefore pursuant to section 5 of the War Labor Disputes Act it is hereby ordered and directed that the following changes in terms and conditions of employment be put into effect by the Operating Manager for the United States at each of the mines of the companies listed in Appendix A to Order No. 2200B:

1. That a Mine Safety Program be established in accordance with provisions of section 2 of the Agreement of May 29, 1946 between the Secretary of the Interior, acting as Coal Mines Administrator, and the President, United Mine Workers of America.

2. That the employees be provided with the protection and coverage of the benefits under Workmen's Compensation and Occupational Disease Laws in ac-

cordance with the provisions of section 3 of said Agreement.

3. That a Health and Welfare Program be established in accordance with the provisions of section 4 (a) of said Agreement.

4. That the Secretary of the Interior, acting as the Coal Mines Administrator, shall have the authority provided for by section 8 of said Agreement to put into effect generally prevailing grievance procedure where such procedure had not theretofore been in effect.

5. That fines and penalties, if any, shall be imposed in the manner provided by section 10 of said Agreement, and that any funds collected as a result of such imposition of fines or penalties shall be dealt with as provided for by section 10 of said Agreement.

CMAN Orders Nos. 4, 5, 7, 8, and 11, A and B (11 F. R. 8127, 7814, 7815, 8286, 8979, 8978), copies of which are enclosed, are hereby made applicable to each of the mines subject to this order.

This order shall be deemed to be a specific direction or order within the meaning of the terms and provisions of the Revised Regulations for the Operation of Coal Mines Under Government Control (11 F. R. 7567) heretofore issued by the Coal Mines Administrator and such amendments or revisions thereof as may from time to time be issued.

BEN MOREELL,
Coal Mines Administrator.

SEPTEMBER 11, 1946.

[F. R. Doc. 46-16640; Filed, Sept. 16, 1946;
8:50 a. m.]

Office of the Secretary.

NATIVE INHABITANTS OF BARROW AND KLUKWAN, ALASKA

NOTICE OF HEARING IN CONNECTION WITH PROPOSED DESIGNATION

Amendment of notice of hearing in connection with Public Land Order No. 324 and proposed designation of native reservations.

Notice is hereby given that the public hearings scheduled to be held at Juneau and Fairbanks, Alaska, from September 16-21, 1946, for the purpose of determining whether Public Land Order No. 324, dated August 14, 1946, should be rescinded, modified or let stand, and whether the lands described in that order should be designated under section 2 of the act of May 1, 1936, 49 Stat. 1250 (U. S. C., Title 48, sec. 358a), as native reservations for the use and occupancy of the native inhabitants of the native villages of Barrow and Klukwan, and vicinity, Alaska, will be held beginning October 10, 1946, at Fairbanks, Alaska, and beginning October 15, 1946, at Klukwan, Alaska, the time and place to be announced. Persons having cause to object to the terms of the public land order or to the proposed designation may present their objections at such hearings.

WARNER W. GARDNER,
Acting Secretary of the Interior.

SEPTEMBER 11, 1946.

[F. R. Doc. 46-16645; Filed, Sept. 16, 1946;
8:51 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the act have been issued to the firms hereinafter mentioned under section 14 of the act, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F. R. 2862, and as amended June 25, 1942, 7 F. R. 4725), and the determinations, orders and/or regulations hereinafter mentioned. The names and addresses of the firms to which certificates were issued, industry, products, number of learners, learner occupations, wage rates, learning periods, and effective and expiration dates of the certificates are as follows:

Independent Telephone Learner Regulations, July 17, 1944 (9 F. R. 7125):

The special learner certificates issued to the following companies under the above regulations provide for the employment of learners in the occupation of commercial switchboard operator for a period not in excess of 480 hours at not less than 30 cents per hour for the first 320 hours and 35 cents per hour for the remaining 160 hours of the learning period. The number of learners authorized to be employed depends on the number of operators in the exchange, i. e., one learner if the exchange employs 8 operators or less, two learners if the exchange employs from 9 to 18 operators, etc. See Regulations, Part 522, section 522.083.

Milan Telephone Company, Milan, Missouri; effective September 10, 1946, expiring September 9, 1947.

The Southwest Telephone Company, Greensburg, Kansas; effective September 10, 1946, expiring September 9, 1947.

The Southwest Telephone Company, Meade, Kansas; effective September 10, 1946, expiring September 9, 1947.

Regulations, Part 522—Regulations Applicable to the Employment of Learners (*supra*).

Enrique Colon, No. 4 Coqui Street, Cayey, Puerto Rico; Cigar Industry; three (3) learners for bunch making and hand rolling operations at not less than 15 cents an hour for the first 240 hours, not less than 19 cents an hour for the second 240 hours, not less than 26 cents an hour for the third 240 hours, not less than 29 cents an hour for the fourth 240 hours, and for every hour thereafter not less than the minimum established by any applicable wage order that may be in effect at the termination of the learning period; effective September 5, 1946; expiring March 5, 1947.

The employment of learners under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of the applicable determinations, orders and/or regulations cited above. These certificates have been issued upon the employers'

representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at sub-minimum rates in order to prevent curtailment of opportunities for employment. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of regulations, Part 522.

Signed at New York, New York, this 11th day of September 1946.

PAULINE C. GILBERT,
Authorized Representative of
the Administrator.

[F. R. Doc. 46-16647; Filed, Sept. 16, 1946;
8:46 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket No. 2423]

PAN AMERICAN AIRWAYS, INC. AND PAN AMERICAN-GRACE AIRWAYS, INC.

NOTICE OF HEARING

In the matter of an agreement between Pan American Airways, Inc., and Pan American-Grace Airways, Inc., dated July 30, 1946, under the Civil Aeronautics Act of 1938, as amended.

Notice is hereby given that the above-entitled matter is assigned for hearing on October 7, 1946, at 10:00 a. m. (Eastern Standard Time), in Conference Room A, Departmental Auditorium, Constitution Avenue between 12th and 14th Streets, NW., Washington, D. C., before examiner, Thomas L. Wrenn, and examiner, Warren E. Baker.

Dated: Washington, D. C., September 11, 1946.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 46-16662; Filed, Sept. 16, 1946;
8:54 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-756]

CITIES SERVICE GAS CO.

ORDER FIXING DATE OF HEARING

SEPTEMBER 10, 1946.

Upon consideration of the application filed on July 18, 1946, by Cities Service Gas Company (Applicant), for:

(a) A certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, to authorize the construction and operation of a 12-inch natural gas transmission pipe line approximately 24.5 miles in length extending northward from a point near the Northeast corner of section thirty-one (31), Township Forty-five (45) North, Range thirty-two (32) West, Cass County, Missouri, located on Applicant's existing 12-inch natural gas pipe line ex-

tending from Ottawa, Kansas, to Sedalia, Missouri, to a point near the Southwest corner of section thirty-four (34), Township forty-nine (49) North, Range thirty-two (32) West, Jackson County, Missouri;

(b) Approval of abandonment of (1) a 12-inch natural gas transmission pipe line approximately 9.85 miles in length extending southwesterly from the junction of said line with the Blackwell-Tallant 12-inch natural gas transmission pipe line in the Northeast Quarter of Section (3), Township twenty-four (24) North, Range ten (10) East, Osage County, Oklahoma, to a point in the Northwest Quarter of Section thirty-two (32), Township twenty-four (24) North, Range nine (9) East, Osage County, Oklahoma; and (2) a natural gas transmission pipe line consisting of approximately 3.8 miles of 10-inch pipe and approximately 2.25 miles of 12-inch pipe extending from a point near the Southwest corner of Section thirty-two (32), Township thirty-one (31) South, Range one (1) East, Sumner County, Kansas, to a point near the Southwest corner of Section thirty-two (32) Township thirty (30) South, Range one (1) East, Sumner County, Kansas;

The Commission orders that:

(A) A public hearing be held commencing on September 20, 1946, at 10:00 a. m. (EST) in the Hearing Room of the Federal Power Commission, Hurley-Wright Building, 1800 Pennsylvania Avenue NW., Washington, D. C., respecting the matters involved and the issues presented in this proceeding: *Provided, however*, That if no protest or petition to intervene has been filed or allowed prior to the date herein fixed for hearing, or if a protest, or a petition to intervene, in the judgment of the Commission raises no issue of substance, the Commission may dispose of the application without contested hearing, by order upon the application and the evidence filed or available to the Commission and such additional evidence as the Commission may require to be filed for its consideration.

(B) Interested State commissions may participate in this hearing, as provided in § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL]

J. H. GUTRIE,
Acting Secretary.

[F. R. Doc. 46-16643; Filed, Sept. 16, 1946;
8:53 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 422, Gen. Permit 1]

RAILROADS TO UNLOAD BOX CARS

Pursuant to the authority vested in me by paragraph (c) of the first ordering paragraph of Service Order No. 422 (11 F.R. 250), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 422 insofar as it applies to cars held at Atlantic, Gulf or Pacific

ports, which arrived at said ports after 12:01 a. m., August 24, 1946.

This permit shall expire 12:01 a. m., September 20, 1946.

The waybill shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 9th day of September 1946.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 46-16664; Filed, Sept. 16, 1946;
8:53 a. m.]

[S. O. 479, Special Permit 17]

REFRIGERATION OF POTATOES FROM PECONIC, L. I.

Pursuant to the authority vested in me by paragraph (d) of the first ordering paragraph of Service Order No. 479 (11 F.R. 3367), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 479 insofar as it applies to the furnishing of standard refrigeration for car ART 24480, potatoes, to be shipped September 11, 1946, from Peconic, L. I., by Atlantic Commission Company consigned Atlantic Commission Company, care of A&P, Tampa, Florida, routed LI-PRR-RF&P-SAL.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 10th day of September, 1946.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 46-16665; Filed, Sept. 16, 1946;
8:53 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 6717]

GERMAN LIBRARY OF INFORMATION

In re: Books, magazines, pamphlets, documents, reports, phonograph records, lantern slides, addressograph lists,

film, stereopticon slides, communications, written materials, and other property owned by German Library of Information.

Vesting Order Number 6717, executed by the Alien Property Custodian, June 24, 1946, vests in the Alien Property Custodian all of those books, magazines, pamphlets, documents, reports, phonograph records, lantern slides, addressograph lists, film, stereopticon slides, communications, written materials, and other property owned by German Library of Information, named in an index of the aforesaid library, which is available for public inspection at the Division of the Federal Register and the Office of the Secretary, Office of Alien Property Custodian.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That German Library of Information, which formerly maintained offices at 17 Battery Place, New York, New York, is an agency or instrumentality of a designated enemy country (Germany);

2. That the property described as follows: All these books, magazines, pamphlets, documents, reports, phonograph records, lantern slides, addressograph lists, film, stereopticon slides, communications, written materials, and other property, described in Exhibit A, attached hereto¹ and by reference made a part hereof, presently in the custody of Department of State, War Annex, Building Number 1, Twenty-third and E Streets, Northwest, Washington, District of Columbia,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid agency or instrumentality of a designated enemy country;

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

¹ Filed as part of the original document.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 24, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-16648; Filed, Sept. 16, 1946;
8:55 a. m.]

[Vesting Order 7170]

ALEXANDER PFLUEGER

In re: Bank account, stock and claim owned by Alexander Pflueger, also known as Wilhelm Alexander Pflueger and as Alexander W. Pflueger. F-28-6660-A-1, F-28-6660-C-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Alexander Pflueger, also known as Wilhelm Alexander Pflueger and as Alexander W. Pflueger, whose last known address is 10 Germanstr., Villingen, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. That certain debt or other obligation of City National Bank and Trust Company of Chicago, 208 South La Salle Street, Chicago, Illinois, arising out of a checking account, entitled Walter P. Paepcke, Attorney in Fact for Alexander W. Pflueger, and any and all rights to demand, enforce and collect the same,

b. One hundred and twenty-five (125) shares of \$20.00 par value common capital stock of Container Corporation of America, 111 West Washington Street, Chicago, Illinois, a corporation organized under the laws of the State of Delaware, evidenced by certificate number C. U. 34, registered in the name of Alexander W. Pflueger, together with all declared and unpaid dividends thereon, and

c. That certain debt or other obligation owing to Alexander Pflueger, also known as Wilhelm Alexander Pflueger, and as Alexander W. Pflueger, by Alice P. Guenzel, 219 Lake Shore Drive, Chicago, Illinois, in the amount of \$2,000, as of December 31, 1945, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Alexander

Pflueger, also known as Wilhelm Alexander Pflueger and as Alexander W. Pflueger, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions; nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 17, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-16649; Filed, Sept. 16, 1946;
9:45 a. m.]

[Vesting Order 7206]

MARY VOEGTLE

In re: Estate of Mary Voegtle, deceased; File No. F-28-6234; E. T. sec. 197.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Karoline Roosnagel, Gottlob Villinger, Pauline Villinger, Julius Villinger and

the domiciliary administrator, personal representatives, heirs, next of kin, legatees, and distributees, names unknown, of Mary Voegtle, deceased, and each of them, in and to the Estate of Mary Voegtle, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Karoline Roosnagel, Gottlob Villinger, Pauline Villinger, Julius Villinger and the domiciliary administrator, personal representatives, heirs, next of kin, legatees, and distributees, names unknown, of Mary Voegtle, deceased, Germany.

That such property is in the process of administration by Alfred Herman Durchlaub, as Ancillary Administrator, acting under the judicial supervision of the Surrogate's Court of Queens County, New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 23, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-16650; Filed, Sept. 16, 1946;
9:45 a. m.]

[Vesting Order 7250]

BERNARD BOECKERSTETTE

In re: Stock, together with bank account held for redemption thereof, owned by Bernard Boeckerstette, also known as Bernard Boecherstette. F-28-811-E-1, F-28-811-D-1, F-66-2198-D-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Bernard Boeckerstette, also known as Bernard Boecherstette, whose last known address is Haverbeck bei Damme, Oldenburg, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. Nine (9) shares of \$100.00 par value 6% preferred capital stock, Issue of 1921, of Wisconsin Electric Power Company, 231 West Michigan Street, Milwaukee 1, Wisconsin, a corporation organized under the laws of Wisconsin, evidenced by Certificate Number J30414, and registered in the name of Bernard Boeckerstette, also known as Bernard Boecherstette, together with all declared and unpaid dividends thereon, and

b. That certain debt or other obligation of First Wisconsin Trust Company, 735 North Water Street, Milwaukee, Wisconsin, in the amount of \$990.00, as of December 31, 1945, arising out of a deposit account, entitled Wisconsin Electric Power Co., 1st Wis. Trust Co., Redemption Agent, held for the redemption of the aforesaid stock referred to in subparagraph 2 (a) above, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Bernard Boeckerstette, also known as Bernard Boecherstette, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 29, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-16651; Filed, Sept. 16, 1946; 9:48 a. m.]

[Vesting Order 7264]

FRIDA HABERLE

In re: Stock and bonds owned by Frida Haberle. F-28-22572-A-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Frida Haberle, whose last known address is Olgastrasse 134, Stuttgart, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. One (1) voting trust certificate, certificate number 714, for 40 shares of common stock of Carthage Marble Corporation, a corporation organized under the laws of the State of Missouri, registered in the name of Frida Haberle, presently in the custody of William F. Godel, California Building, Denver, Colorado, together with all declared and unpaid dividends thereon,

b. One (1) subordinated first mortgage five percent income bond of Carthage Marble Corporation, of \$250.00 face value, bearing the certificate number 714, registered in the name of Frida Haberle, presently in the custody of William F. Godel, California Building, Denver, Colorado, together with any and all rights thereunder and thereto,

c. Two (2) gold debenture bonds of American Agency and Investment Company, each of \$1000.00 face value, bearing the certificate numbers M4 and M5, registered in the name of bearer, presently in the custody of William F. Godel, California Building, Denver, Colorado, together with all rights thereunder and thereto, and

d. One (1) beneficial certificate under voting trust agreement, certificate number 52, for 5 shares of American Agency and Investment Company, a corporation organized under the laws of the State of Colorado, presently in the custody of William F. Godel, California Building, Denver, Colorado, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and

certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 29, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-16652; Filed, Sept. 16, 1946; 9:48 a. m.]

[Vesting Order 7413]

RICHARD FRITZSCHE

In re: Estate of Richard Fritzsche, deceased; File No. D-28-7947; E. T. sec. 8785.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Emil Fritzsche in and to the Estate of Richard Fritzsche, deceased,

is property payable or deliverable to, or claimed by a national of a designated enemy country, Germany, namely,

National and Last Known Address
Emil Fritzsche, Germany.

That such property is in the process of administration by Max Fritzsche, as Administrator of the Estate of Richard Fritzsche, deceased, acting under the judicial supervision of the Surrogate's Court, New York County, State of New York;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 15, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-16654; Filed, Sept. 16, 1946;
9:49 a. m.]

[Vesting Order 7414]

ADOLPH GUND

In re: Estate of Adolph Gund, a/k/a Adolf Gund, deceased; File No. D-28-9834; E. T. sec. 13864.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Mathilda Hauch in and to the Estate of Adolph Gund, a/k/a Adolf Gund, deceased,

is property payable or deliverable to, or claimed by a national of a designated enemy country, Germany, namely,

National and Last Known Address

Mathilda Hauch, Germany.

That such property is in the process of administration by James W. Brown, Public Administrator of the County of Bronx, as Administrator of the Estate of Adolph Gund, a/k/a Adolf Gund, deceased, acting under the judicial supervision of the Surrogate's Court, Bronx County, State of New York;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a

national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 15, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-16655; Filed, Sept. 16, 1946;
9:51 a. m.]

[Vesting Order 7266]

GEORG HAUCK & SOHN

In re: Stocks and bonds owned by and debts owing to Georg Hauck & Sohn. F-28-2314-A-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Georg Hauck & Sohn, the last known address of which is 30 Neue Mainzerstrasse, Frankfurt a/M, Germany, is a partnership organized under the laws of Germany, and which has or, since the effective date of Executive Order No. 8389, as amended, has had its principal place of business in Germany and is a national of a designated enemy country (Germany);

2. That the property described as follows:

a. Those certain shares of stock described in Exhibit A, attached hereto and by reference made a part hereof, registered in the names of the persons set out in Exhibit A and beneficially owned by Georg Hauck & Sohn, presently in the custody of Swiss American Corporation, 30 Pine Street, New York, New York, together with all declared and unpaid dividends thereon,

b. Those certain bonds described in Exhibit B, attached hereto and by reference made a part hereof, issued in the name of bearer, presently in the custody of Swiss American Corporation, 30 Pine Street, New York, New York, together with any and all rights thereunder and thereto,

c. Two United States of Mexico Non-Interest Bearing Class A Receipts, one of \$1,350 face value and bearing the

number 2660, the other of \$3,000 face value and bearing the number 5792, issued in the name of bearer, presently in the custody of Swiss American Corporation, 30 Pine Street, New York, New York, together with any and all rights thereunder and thereto,

d. Two United States of Mexico Non-Interest Bearing Class B Receipts, one of \$2,700 face value and bearing the number 714, the other of \$6,000 face value and bearing the number 2713, issued in the name of bearer, presently in the custody of Swiss American Corporation, 30 Pine Street, New York, New York, together with any and all rights thereunder and thereto,

e. One United States of Mexico Current Interest Scrip, of \$1,402.50 face value, issued in the name of bearer, presently in the custody of Swiss American Corporation, 30 Pine Street, New York, New York, together with any and all rights thereunder and thereto,

f. Ten National Railways of Mexico 6% Secured Gold Notes Series B, due 1933, each of \$20 face value, bearing the numbers 482 through 491, inclusive, issued in the name of bearer, presently in the custody of Swiss American Corporation, 30 Pine Street, New York, New York, together with any and all rights thereunder and thereto,

g. That certain debt or other obligation owing to Georg Hauck & Sohn by Swiss American Corporation, 30 Pine Street, New York, New York, in the amount of \$2,911.80, as of December 31, 1945, arising out of a regular account entitled "Georg Hauck & Sohn," together with all accruals thereto, and any and all rights to demand, enforce and collect the same, and

h. That certain debt or other obligation owing to Georg Hauck & Sohn by Swiss American Corporation, 30 Pine Street, New York, New York, in the amount of \$3,187.08, as of December 31, 1945, arising out of a General Ruling #6 account entitled "Georg Hauck & Sohn," together with all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Prop-

erty Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date

hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 29, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Name, address and State of incorporation of issuer	Certificate Nos.	Number of shares	Par value	Type of stock	Registered owner
The Baltimore and Ohio R. R. Co., B. & O. Bldg., Baltimore, Md., incorporated in Maryland.	37311	100	\$100	4% noncumulative preferred.	Shepherd & Co.
Chicago, Rock Island & Pacific Ry. Co., 139 Van Buren St., Chicago, Ill., incorporated in Illinois and Iowa.	49095	90	100	6% preferred	Do.
Clinchfield Coal Corp., Dante, Va., incorporated in Virginia.	4141	100	100	Common	Do.
Clinchfield Fuel Co.	1439	50	100	do	Do.
Havana Electric Ry. Co.	205	15	No	Capital	Do.
	387	100	No	Common	Robert M. Lowitz.
	47	10	No	do	Do.
	95	100	100	6% cumulative preferred.	Do.
Missouri-Pacific RR. Co., Missouri Pacific Bldg., St. Louis, Mo., incorporated in Missouri.	79043	84	100	5% cumulative convertible preferred.	Shepherd & Co.
New Mexico & Arizona Land Co., Frisco Bldg., St. Louis, Mo., incorporated in Arizona.	54169	100	100	Capital	Do.
New Orleans, Texas & Mexico Ry. Co., Union Station Bldg., Houston, Tex., incorporated in Louisiana.	34456	100	1	do	Do.
Seaboard Air Line Ry. Co., Norfolk, Va., incorporated in Virginia, Georgia, North Carolina, South Carolina, and Florida.	11113	55	100	do	Do.
United States & International Securities Corp., 921 Bergen Ave., Jersey City, N. J., incorporated in Maryland.	1701	95	100	4.2% preferred	Do.
Western Maryland Ry. Co., Standard Oil Bldg., Baltimore, Md., incorporated in Maryland and Pennsylvania.	11520	50	No.	Common	Do.
	14468	50	No.	\$5 dividend first preferred.	Do.
	15664	100	100	Common	Paul Reis.

EXHIBIT B

Name of issuer	Type of bond	Face value	Certificate No.
St. Louis-San Francisco Ry. Co.	Prior gold lien 4% series A, due 1950.	\$1,000	9433
		1,000	9434
		1,000	9435
		1,000	9436
		1,000	9437
		1,000	9438
		1,000	9439
		1,000	9440
		1,000	9441
		1,000	9442
		1,000	9443
		1,000	9444
		250	8504
		250	8505
The Baltimore and Ohio R. R. Co.	Modified refunding and general mortgage, series F, due 1996.	1,000	5318
		1,000	5319
		1,000	5320
		1,000	5321
		1,000	5322
		1,000	5323
		1,000	5324
		1,000	5325
		1,000	5326
		1,000	5327
National Railroad of Mexico	First consolidated gold 4%, due 1951.	1,000	10696
		1,000	12698
		1,000	12699
		1,000	15297
		1,000	15298
		1,000	15299
		1,000	15300
		500	23328
Vera Cruz & Pacific R. R. Co.	First gold guaranteed 4½%, due 1934.	1,000	2506
		1,000	2507
		1,000	2508
		1,000	2509
		1,000	2510
		1,000	2511
		1,000	2512
		1,000	2513
		1,000	2514
		1,000	2515

[F. R. Doc. 46-16653; Filed, Sept. 16, 1946; 9:49 a. m.]

[Vesting Order 7416]

ALEXANDER MACHER

In re: Estate of Alexander Macher, deceased; File No. D-34-776; E. T. sec. 11635.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Ida Kabina in and to the estate of Alexander Macher, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Hungary, namely,

National and Last Known Address

Ida Kabina, Hungary.

That such property is in the process of administration by the County Treasurer of Fulton County, as Depositary, acting under the judicial supervision of the Surrogate's Court of Fulton County, New York;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Hungary);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 15, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-16659; Filed, Sept. 16, 1946; 9:52 a. m.]

[Vesting Order 7418]

LILLIE H. THEURKAUF OHLY

In re: Estate of Lillie (Lilly) H. Theurkauf Ohly, deceased. File No. D-28-9801; E. T. sec. 13800.

Under the authority of the Trading with the Enemy Act, as amended, and

Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Dr. Charles H. Ohly, also known as Dr. Carl H. Ohly, in and to the Estate of Lillie (Lilly) H. Theurkauf Ohly, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Dr. Charles H. Ohly, also known as Dr. Carl H. Ohly, Germany.

That such property is in the process of administration by Edward A. Theurkauf, as Executor of the Estate of Lillie (Lilly) H. Theurkauf Ohly, deceased, acting under the judicial supervision of the Essex County Orphans' Court, Newark, New Jersey;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 15, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-16657; Filed, Sept. 16, 1946;
9:52 a. m.]

[Vesting Order 7497]

J. S. MIWA

In re: Debt owing to J. S. Miwa, also known as Seigo Miwa, also shown as J. S. Miwa, Jr. D 39-1799.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That J. S. Miwa, also known as Seigo Miwa, also known as J. S. Miwa, Jr., whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That J. S. Miwa Shokai, San Francisco, California, is beneficially owned by J. S. Miwa, also known as Seigo Miwa, also known as J. S. Miwa, Jr.;

3. That the property described as follows: That certain debt or other obligation appearing on the books of J. S. Miwa & Company, Ltd., Honolulu, T. H., as an account payable to J. S. Miwa Shokai, San Francisco, California, in the amount of \$4,000, as of July 31, 1946, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 4, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-16658; Filed, Sept. 16, 1946;
9:53 a. m.]

[Vesting Order 7608]

MARTHA MCMURTIE GREGG HALLER

In re: Trust under the Deed of Martha McMurtrie Gregg Haller under Agree-

ment dated August 25, 1921. File No. D-66-481; E. T. sec. 3876.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Martin Ferdinand Haller, Thomas Gregg Haller and Franz Wilhelm Haller, and each of them, in and to and arising out of or under that certain trust agreement dated August 25, 1921, by and between Martha McMurtrie Gregg Haller and Ferdinand Haller and the Commonwealth Trust Company of Pittsburgh, a corporation organized and existing under the laws of the State of Pennsylvania, and in and to all property held thereunder by the Commonwealth Trust Company of Pittsburgh, Pittsburgh, Pa., as Trustee.

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Martin Ferdinand Haller, Germany.
Thomas Gregg Haller, Germany.
Franz Wilhelm Haller, Germany.

That such property is in the process of administration by the Commonwealth Trust Company of Pittsburgh, as Trustee, acting under the judicial supervision of the Orphans' Court of Allegheny County, Pa.;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The term "national" as used herein shall have the meaning prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 10, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-16659; Filed, Sept. 16, 1946;
9:53 a. m.]

[Vesting Order 7444]

SATORU NODA

In re: Bank account owned by Satoru Noda. F-39-4701-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Satoru Noda, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation owing to Satoru Noda, by Bank of America National Trust and Savings Association, 300 Montgomery Street, San Francisco, California, arising out of a commercial checking account, entitled Satoru Noda, maintained at the branch office of the aforesaid bank located at 198 North 2nd Avenue, Upland, California, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 15, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-16502; Filed, Sept. 13, 1946;
9:22 a. m.]

[Vesting Order 7452]

HEINRICH STUECK

In re: Bank account owned by Heinrich Stueck. F-28-23650-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Heinrich Stueck, whose last known address is Weiskirchen 1, Hom-burgerlandstrasse, Tannus, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Heinrich Stueck, by The First National Trust and Savings Bank of San Diego, San Diego, California, arising out of a savings account, Account Number 86447, entitled Heinrich Stueck, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 15, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-16504; Filed, Sept. 13, 1946;
9:22 a. m.]

[Vesting Order 7443]

KAZUO MORIHIRO

In re: Bank account owned by Kazuo Morihiro. F-39-4671-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Kazuo Morihiro, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation owing to Kazuo Morihiro, by Bank of America National Trust and Savings Association, 300 Montgomery Street, San Francisco, California, arising out of a savings account, Account Number 916, entitled Kazuo Morihiro, maintained at the branch office of the aforesaid bank located at Tulalake, California, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof, in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 15, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-16501; Filed, Sept. 13, 1946;
9:23 a. m.]

[Vesting Order 7455]

ALEXANDRINE VON SALDERN

In re: Debt owing to Alexandrine Von Saldern, also known as Alix Van Sandern.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Alexandrine Von Saldern, also known as Alix Van Sandern, whose last known address is Post Lichtenfelde bei Eberswalde, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: All those debts or other obligations owing to Alexandrine Von Saldern, also known as Alix Van Sandern, by Bank of New York, 48 Wall Street, New York, New York, as trustee under deed dated March 1, 1904 by Henry I. Barbey, including particularly but not limited to a portion of the sum of money on deposit with said Bank of New York, 48 Wall Street, New York, New York, in an account entitled Trust Account Henry G. Barbey No. 3, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 15, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-16505; Filed, Sept. 13, 1946;
9:22 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 59-86 and 54-148]

PUBLIC SERVICE CORP. OF N. J. AND UNITED CORP.

ORDER RECONVENING HEARINGS AND NOTICE OF FILING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 9th day of September 1946.

In the matter of Public Service Corporation of New Jersey and its subsidiary companies and The United Corporation, File No. 59-86; Public Service Corporation of New Jersey, File No. 54-148.

I

The Commission on June 12, 1946, entered an order instituting proceedings under sections 11 (b) (1) and 11 (b) (2) of the Public Utility Holding Company Act of 1935 (File No. 59-86) with respect to Public Service Corporation of New Jersey (Public Service), a registered holding company, and all of its subsidiaries, and in said order named The United Corporation (United), also a registered holding company, as party to the proceedings. The proceedings instituted by said order were directed to a determination of what action and steps are necessary to be taken by United, and Public Service and its subsidiaries or by any of them to effectuate compliance by Public Service or any of its subsidiaries with the provisions of sections 11 (b) (1) and 11 (b) (2). At a preliminary hearing on said issues, Public Service indicated its intention to file a plan under section 11 (e) which it believed would be responsive to said issues and requested that further hearings on the proceedings instituted by the Commission be stayed until such a plan was filed.

II

Notice is hereby given that an application has been filed with this Commission by Public Service pursuant to section 11 (e) of said act seeking approval of a plan for certain action stated by Public Service to be for the purpose of enabling it to comply with section 11 (b) of said act, a copy of which plan is made a part of said application. All interested parties are referred to said document which is on file in the office of this Commission for a statement of the transactions therein proposed, which are summarized as follows:

Upon completion of the steps herein-after set forth as proposed in the plan, Public Service proposes to liquidate and dissolve by transferring its assets to Pub-

lic Service Electric and Gas Company (Electric and Gas), its principal utility subsidiary, and causing that company to assume the liabilities of Public Service:

(1) Electric and Gas will retire all of its \$5 Cumulative Preferred Stock outstanding in the hands of the public either by redemption at \$110 per share plus accrued dividends or by conversion into another class of preferred stock with a dividend rate yet to be determined.

(2) Electric and Gas will issue \$18,195,610 principal amount of unsecured non-callable 50-year 6% Debenture Bonds which will be exchanged, on a dollar for dollar basis, for all the publicly held 6% Perpetual Interest Bearing Certificates of Public Service which are outstanding in like principal amount.

(3) Electric and Gas will reclassify its common stock, all of which is owned by Public Service, into preference common stock and regular common stock. The preference common stock will be limited to dividends in an amount subsequently to be determined; it will be entitled to a preference over the regular common stock in respect of such dividends and will be convertible during a limited period of time into regular common stock. In all other respects such stock will have all the rights and privileges of the regular common stock.

(4) Public Service will exchange shares of the dividend preference common stock of Electric and Gas for all or its own outstanding preferred stocks in the hands of the public, and will exchange the regular common stock of Electric and Gas for all of its own outstanding common stock in the hands of the public. The basis for such exchanges and the cash adjustments, if any, in connection therewith are to be supplied by amendment to the plan.

(5) The charter of Public Service Coordinated Transport (Transport), also a subsidiary of Public Service, will be amended to reclassify all of its preferred and common stocks into a new common stock of no par value in such amount as shall be provided by amendment to the plan.

(6) Atlantic City Gas Company and Peoples Gas Company, subsidiaries of Public Service, will merge or consolidate, the resulting or surviving corporation (Gas Company) to have such capital stock and securities as shall be specified by amendment to the plan. The capital stock of Gas Company will be disposed of by Public Service either by sale or by distribution to the stockholders of Public Service as shall be specified by amendment. Public Service will sell to Gas Company at cost all bonds and indebtedness of Atlantic City Gas Company and Peoples Gas Company held by it.

(7) The stock and indebtedness of County Gas Company owned by Public Service will be sold or otherwise disposed of by it.

(8) Provision may be made by amendment to the plan for the recapitalization of Gas Company and County Gas Company and may include refunding of outstanding indebtedness, donations in cash by Public Service, and reductions in the fixed capital accounts.

The consummation of the plan is subject to all necessary approvals by the Board of Public Utility Commissioners of the State of New Jersey, this Commission and to approval by a United States Court having jurisdiction with respect thereto.

III

It appearing to the Commission that common questions of law and fact are involved in said proceedings instituted by the Commission pursuant to sections 11 (b) (1) and 11 (b) (2) of the act and in the proceedings upon the application filed by Public Service pursuant to section 11 (e) of the act, summarized in Part II of this notice and order; that evidence offered in respect of each of said proceedings may have a bearing on the other; and that substantial savings in time, effort and expense will result if said proceedings are consolidated so that they may be heard as one matter and so that evidence adduced in each matter may stand as evidence in the other for all purposes;

It is ordered, That the proceedings upon said application of Public Service designated by the Commission's File No. 54-148 be, and the same are hereby consolidated with the proceedings instituted by the Commission directed to Public Service under sections 11 (b) (1) and 11 (b) (2) of the act, identified by the Commission's File No. 59-86;

It is further ordered, That a hearing on said matters so consolidated be held on the 28th day of October, 1946, at 10:00 a. m., E. S. T., in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held.

It is further ordered, That Willis E. Monty, or any other officer or officers of the Commission designated by it for that purpose, shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That any other person desiring to be heard in connection with these proceedings or proposing to intervene herein shall file with the Secretary of the Commission, on or before October 25, 1946, his request or application therefor as provided by Rule XVII of the rules of practice of the Commission.

It is further ordered, That, without limiting the scope of the issues presented by said application and otherwise to be considered in these consolidated proceedings, particular attention shall be directed at the hearing to the following matters and questions:

(1) What steps are necessary to be taken by United, Public Service and the subsidiaries of Public Service to ensure that the corporate structure, or the continued existence of any company in the holding company system of Public Service does not unduly or unnecessarily

complicate the structure of, or unfairly and inequitably distribute the voting power among the security holders, of the holding company system of Public Service or of United.

(2) What action is necessary to be taken by United, Public Service and/or its subsidiaries to limit the operations of the holding company system of Public Service to a single integrated public utility system and such additional utility systems, or other businesses, as are retainable by Public Service under the standards of section 11 (b) (1) of the act.

(3) Whether the proposed plan, as submitted or as hereafter amended, is necessary to effectuate the provisions of section 11 (b) of the act.

(4) Whether the proposed plan, as submitted or as hereafter amended, is fair and equitable to the persons affected thereby.

(5) Whether the securities proposed to be issued meet the applicable statutory standards, and, in particular, without limiting the generality of such issue, whether the 50-year 6% Debentures and Preference Common Stock proposed to be issued by Electric and Gas (if they will have been authorized by the Board of Public Utility Commissioners of the State of New Jersey) are solely for the purpose of financing the business of Electric and Gas, or if not, whether they meet with applicable standards of section 7.

(6) Whether the proposed acquisition by Electric and Gas of the securities of Transport is in conformity with the standards of section 10, and not detrimental to the carrying out of the provisions of section 11.

(7) Whether the accounts of the several subsidiaries of Public Service as they are proposed to be stated will be in accord with accepted accounting principles and will meet the applicable statutory standards.

(8) Generally, whether the transactions proposed in the plan comply with all the requirements of the applicable provisions of the act and the rules promulgated thereunder.

(9) Whether the fees and expenses proposed to be paid in connection with the consummation of the plan and all transactions incidental thereto are for necessary services and are reasonable in amount and whether the plan should be modified to include provision for the payment of any fees and expenses in connection with said plan or the proceedings with respect thereto which the Commission may determine, award, allow or allocate.

(10) Whether, if the plan, as proposed or as hereafter amended, is approved by the Commission, it is appropriate in the public interest or in the interests of investors or consumers that any terms or conditions be imposed in connection with such approval, and, if so, what such terms and conditions should be.

It is further ordered, That jurisdiction be reserved to separate, either for hearing, in whole or in part, or for disposition, in whole or in part, any of the issues, questions or matters herein set forth or which may arise in these pro-

ceedings or to consolidate with these proceedings other filings or matters pertaining to the subject matter of these proceedings, and to take such other action as may appear conducive to an orderly, prompt, and economical disposition of the matters involved; and

It is further ordered, That notice of this hearing be given by registered mail to Public Service and its subsidiaries, United, the Board of Public Utility Commissioners of the State of New Jersey, and the Federal Power Commission and to all other persons by publication in the FEDERAL REGISTER.

It is further ordered, That Public Service shall give further notice of this hearing to all its security holders (insofar as the identity of such security holders is known or available to Public Service) by mailing to each of said persons a copy of this notice and order for hearing, to his last known address, at least 15 days prior to the date of this hearing.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 46-16642; Filed, Sept. 16, 1946;
8:52 a. m.]

[File No. 70-1346]

ILLINOIS POWER CO.

ORDER GRANTING EXEMPTION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 6th day of September 1946.

Illinois Power Company, a registered holding company, having filed a declaration pursuant to section 12 (d) of the Public Utility Holding Company Act of 1935 and Rule U-44 promulgated thereunder, regarding the sale of its electric utility assets located in and adjacent to Mound City, Illinois, to Mound City Water and Light Company, for \$125,000 in cash, which consideration includes an unallocated amount applicable to the sale of Illinois Power Company's water supply assets in Mound City, Illinois as part of the same transaction; and

Illinois Power Company having made application that the proposed transaction be exempted from the requirements of said Rule U-44 pursuant to Rule U-100, promulgated under the said act; and

It appearing to the Commission that the requirements of Rule U-44, as applied to the proposed transactions, are not necessary or appropriate in the public interest or for the protection of investors or consumers;

It is ordered, Pursuant to said Rule U-100, that said application for exemption from Rule U-44 be, and hereby is, granted forthwith.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 46-16641; Filed, Sept. 16, 1946;
8:52 a. m.]

OFFICE OF PRICE ADMINISTRATION.
[MPR 120, Amdt. 5 to Rev. Order 1438]
ALLEGHENY RIVER MINING CO. ET AL.
BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

For the reasons set forth in an opinion issued simultaneously herewith and in

Producer and address	Mine Index No.	Location and name of preparation plant through which the coals are prepared
Moshannon Falls Mining Co., Clearfield, Pa.	3644	Mount Carmel Mine Preparation Plant at Kart-haus, Pa., on the N. Y. C.
The Kowitz Coal Co., Inc., P. O. Box 197, Frost-burg, Md.	500	Swanton No. 1 Mine Preparation Plant at Barton, Md., on the C. & P.
F. R. Zuck, Strobleton, Pa.	5384	Zuck Preparation Plant—non-rail connected—near Millerstown, Pa., along Route 66.
H. B. Mellett, Old Post Office Bldg., McConnells-burg, Pa.	5553	Mellett's Broad Top Mining Co.'s Preparation Plant at Riddlesburg, Pa., on the H. & B. T.

This Amendment No. 5 to Revised Order No. 1438 under Maximum Price Regulation No. 120 shall become effective September 14, 1946.

Issued this 13th day of September 1946.

JAMES G. ROGERS, Jr.,
Acting Administrator.

OPINION ACCOMPANYING AMENDMENT NO. 5 TO REVISED ORDER NO. 1438 UNDER MAXIMUM PRICE REGULATION NO. 120

Moshannon Falls Mining Company, Clearfield, Pennsylvania, The Kowitz Coal Company, Inc., P. O. Box 197, Frostburg, Maryland, F. R. Zuck, Strobleton, Pennsylvania and H. B. Mellett, Old Post Office Building, McConnellsburg, Pennsylvania, all producing strip-mined coals, filed applications pursuant to Section 1340.212 (c) (2) of Maximum Price Regulation No. 120, requesting permission to charge deep-mine prices for strip-mined coal when blended with 25% or more of deep-mined coal, and prepared at their preparation plants at Karthaus, Pennsylvania, Barton, Maryland, Millerstown, Pennsylvania and Riddlesburg, Pennsylvania, respectively, all in District No. 1.

It appears that applicants' strip-mined coal receives thorough cleaning and hand-picking at the said preparation plants, and that it is such that it can be prepared to a standard of general acceptability in the coal-consuming market.

It further appears that applicants' strip-mined coal is blended in preparation with not less than 25% deep-mined coal at the said preparation plants.

The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state.

WILLIAM ALCOE COAL CO., BOX 564, IMPERIAL, PA., RIDER NO. 4 MINE, PITTSBURGH SEAM, MINE INDEX NO. 4586, ALLEGHENY COUNTY, PA., SUBDISTRICT 7, RAIL SHIPPING POINT, BOGGS, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP B, MAXIMUM TRUCK PRICE GROUP NO. 5

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Price classification.....	D	D	C	C	F	F	G	G	G	G	G
Rail shipment.....	319	319	319	319	354	374	384	384	384	384	384
Railroad fuel.....	319	319	319	319	359	379	389	389	389	389	389
Truck shipment.....	434	434	434	434	369	369	369	369	369	369	369

Subject to the provisions of Order No. 1716 under MPR 120.

JOSEPH L. BATTISTELLA, 416 WALNUT AVE., GREENSBURG, PA., DOLLY MINE, PITTSBURGH SEAM, MINE INDEX NO. 4573, WESTMORELAND COUNTY, PA., SUBDISTRICT 9, RAIL SHIPPING POINT, BOVARD, PA., DEEP AND STRIP MINE, RAILROAD FUEL PRICE GROUP A, MAXIMUM TRUCK PRICE GROUP NO. 8

Price classification.....	D	D	C	C	D	C	C	C	C	C	C
Rail shipment.....	319	319	319	319	369	369	369	369	369	369	369
Railroad fuel.....	319	319	319	319	369	369	369	369	369	369	369
Truck shipment.....	424	424	424	404	374	374	374	374	374	374	374

The foregoing maximum prices are applicable to strip-mined coals. To determine the maximum prices for deep-mined coals add 87 cents per net ton to those listed for rail shipment and for railroad fuel and 62 cents per net ton to those listed for truck shipment.

JOSEPH L. BATTISTELLA, 416 WALNUT AVE., GREENSBURG, PA., SUNSHINE MINE, PITTSBURGH SEAM, MINE INDEX NO. 4578, WESTMORELAND COUNTY, PA., SUBDISTRICT 9, RAIL SHIPPING POINT, MANOR, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP A, MAXIMUM TRUCK PRICE GROUP NO. 8

Price classification.....	D	D	C	C	D	C	C	C	C	C	C
Rail shipment.....	319	319	319	319	369	369	369	369	369	369	369
Railroad fuel.....	319	319	319	319	369	369	369	369	369	369	369
Truck shipment.....	424	424	424	404	374	374	374	374	374	374	374

W. J. BERRY & CO., R. F. D. No. 3, CORAOPOLIS, PA., BERRY MINE, PITTSBURGH SEAM, MINE INDEX NO. 4563, ALLEGHENY COUNTY, PA., SUBDISTRICT 7, RAIL SHIPPING POINT, CLIFF MINE AND/OR NEVILLE ISLAND, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP A, MAXIMUM TRUCK PRICE GROUP NO. 5

Price classification.....	A	A	C	C	F	D	E	E	E	E	E
Rail shipment.....	339	339	319	319	284	289	289	289	289	289	289
Railroad fuel.....	339	339	319	319	289	289	289	289	289	289	289
Truck shipment.....	434	434	434	434	369	369	369	369	369	369	369

NELSON BOND, R. D. No. 2, TARENTUM, PA., BOND NO. 1 MINE, PITTSBURGH SEAM, MINE INDEX NO. 4562, ALLEGHENY COUNTY, PA., SUBDISTRICT 7, RAIL SHIPPING POINT, MCKEES ROCK, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP A, MAXIMUM TRUCK PRICE GROUP NO. 5

Price classification.....	A	A	C	C	F	D	E	E	E	E	E
Rail shipment.....	339	339	319	319	284	289	289	289	289	289	289
Railroad fuel.....	339	339	319	319	289	289	289	289	289	289	289
Truck shipment.....	434	434	434	434	369	369	369	369	369	369	369

accordance with § 1340.212 (c) (2) of Maximum Price Regulation No. 120; it is ordered:

Revised Order No. 1438 under Maximum Price Regulation No. 120 is hereby amended in the following respects:
Paragraph (a) is amended by adding thereto the following in the manner indicated:

The applicants qualify therefore for the requested relief under the provisions of said § 1340.212 (c) (2), since the above mentioned strip-mined coals produced in District No. 1 are cleaned and prepared in accordance with said Section 1340.212 (c) (2) and blended in preparation with not less than 25% deep-mined coal at the above mentioned preparation plants, which are operated as adjuncts of Mine Index Numbers 3644, 500, 5384 and 5553 respectively, all of which are in District No. 1. Accordingly, this revised order is being further amended to include applicants' blended mixture of prepared strip-mined and deep-mined coal.

Issued this 13th day of September 1946.

JAMES G. ROGERS, Jr.,
Acting Administrator.
[F. R. Doc. 46-16679; Filed, Sept. 16, 1946; 8:58 a. m.]

[MPR 120, Order 1736]
WILLIAM ALCOE COAL CO. ET AL.
ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; it is ordered:
Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton for the indicated uses and shipments as set forth herein. All are in District No. 2.

BOWIE COAL CO., 121 WEST PINE ST., GROVE CITY, PA., RIMEL MINE, KITTANNING SEAM, MINE INDEX No. 4601, BUTLER COUNTY, PA., SUBDISTRICT 1, RAIL SHIPPING POINT, HARRISVILLE, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP A, MAXIMUM TRUCK PRICE GROUP No. 2

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Price classification.....	E	E	D	D	C	C	D	D	D		
Rail shipment.....	319	319	309	309	319	309	279	279	254		
Railroad fuel.....	319	319	309	309	319	309	279	279	254	254	
Truck shipment.....	444	444	444	424	414	414	414	329	299	299	279

BOWIE COAL CO., 121 WEST PINE ST., GROVE CITY, PA., PENNSY MINE, MIDDLE KITTANNING SEAM, MINE INDEX No. 4595, MERCER COUNTY, PA., SUBDISTRICT 1, RAIL SHIPPING POINT, LEESBURG, PA., DEEP AND STRIP MINE, RAILROAD FUEL PRICE GROUP A, MAXIMUM TRUCK PRICE GROUP No. 3

Price classification.....	C	E	D	D	C	C	D	D	D		
Rail shipment.....	319	319	309	309	319	309	279	279	254		
Railroad fuel.....	319	319	309	309	319	309	279	279	254	254	
Truck shipment.....	444	444	444	409	404	404	404	329	274	274	249

The foregoing maximum prices are applicable to strip-mined coals. To determine the effective maximum prices for deep-mined coals add 87 cents per net ton to the maximum prices listed for rail shipment and for railroad fuel; 62 cents per net ton to those listed for truck shipment.

BOWIE COAL CO., 121 WEST PINE ST., GROVE CITY, PA., BYERS MINE, KITTANNING SEAM, MINE INDEX No. 4590, VENANGO COUNTY, PA., SUBDISTRICT 1, RAIL SHIPPING POINT, GROVE CITY, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP A, MAXIMUM TRUCK PRICE GROUP No. 3

Price classification.....	E	E	D	D	C	C	D	D	D		
Rail shipment.....	319	319	309	309	319	309	279	279	254		
Railroad fuel.....	319	319	309	309	319	309	279	279	254	254	
Truck shipment.....	444	444	444	409	404	404	404	329	274	274	249

Subject to the provisions of Order No. 1716 under MPR 120.

BROWN COAL CO., 1625 POTOMAC AVE., PITTSBURGH, PA., BROWN MINE, PITTSBURGH SEAM, MINE INDEX No. 4577, ALLEGHENY COUNTY, PA., SUBDISTRICT 7, RAIL SHIPPING POINTS, BRUCETON AND LARGE, PA., DEEP AND STRIP MINE, RAILROAD FUEL PRICE GROUP A, MAXIMUM TRUCK PRICE GROUP No. 5

Price classification.....	A	A	C	C	C	C	C	C	C		
Rail shipment.....	339	339	319	319	319	309	284	284	264		
Railroad fuel.....	339	339	319	319	319	309	284	284	264	254	
Truck shipment.....	434	434	434	399	369	369	369	334	294	294	279

The foregoing maximum prices are applicable to strip-mined coals. To determine the effective maximum prices for deep-mined coals add 87 cents per net ton to the maximum prices listed for rail shipment and for railroad fuel and 62 cents per net ton to those listed for truck shipment.

This order shall become effective September 14, 1946.

Issued this 13th day of September 1946.

JAMES G. ROGERS, Jr.,
Acting Administrator.

OPINION ACCOMPANYING ORDER No. 1763
UNDER MAXIMUM PRICE REGULATION No. 120

The order which this opinion accompanies establishes maximum prices and price classifications and assigns mine index numbers to mines in District No. 2 which had not been classified and numbered by the former Bituminous Coal Division. This is done in accordance with Section 1340.210 (a) (6) of the Regulation which provides for this action.

Under this section, a producer is required to file an application for maximum prices and classifications based upon those of the nearest mine in the same or substantially similar seams. Generally the producer requests the prices and classifications he deems proper.

This application was then submitted to the industry advisory committee for District No. 2. The prices and classifications established are those recommended by the committee and those requested by the applicants, if a request was made, and are fair and equitable.

Issued this 13th day of September 1946.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 46-16680; Filed, Sept. 16, 1946;
8:59 a. m.]

[MPR 188, Order 5177]

EHRESMAN CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; It is ordered:

(a) This order established maximum prices for sales and deliveries of certain articles manufactured by The Ehresman Company, 1331-A Fifth Street, Glendale 1, California.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
Imported Australian lacewood table lamp and fabric shade.....	201	Each \$15.34	Each \$18.05	Each \$32.45
Imported African blackwood table lamp and fabric shade with upper trim of monkey tree branches.....	102	26.25	31.25	56.25
Imported African blackwood table lamp and single skin parchment shade.....	103	26.25	31.25	56.25
Imported African blackwood table lamp and fabric shade of parchment and tapa cloth....	101	28.90	34.00	61.20

These maximum prices are for the articles described in the manufacturer's application dated July 30, 1946.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. Glendale, California, 2%, 10 days, net 30. The maximum price to consumers is net delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the fourth Pricing Method, § 1499.158, of Maximum Price Regulation 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model Number -----
OPA Retail Ceiling Price—\$-----
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobbers' maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 14th day of September 1946.

Issued this 13th day of September 1946.

JAMES G. ROGERS, Jr.,
Acting Administrator.

OPINION ACCOMPANYING ORDER No. 5177
UNDER SECTION 1499.158 OF MAXIMUM PRICE REGULATION No. 188

By application dated July 30, 1946, The Ehresman Company, 1331-A Fifth Street, Glendale, California, herein called the applicant, requested the Office of Price Administration to establish maximum prices for sales of lamps which it manufactures.

Since the applicant has not previously manufactured an article the maximum price of which may be used as a basis for pricing the articles described in the application under one of the first three pricing methods of Maximum Price Regulation No. 188, it has been necessary to consider the application under the

Fourth Pricing Method, Section 1499.158, which requires that prices be set in line with the level of maximum prices established by Maximum Price Regulation No. 188.

The specifications, construction and design of the applicant's product have been compared with those of comparable competitive articles for which maximum prices have been properly established under the Regulation. The prices established by this order are in line with the maximum prices of those comparable articles for sales to the same classes of purchasers and are, therefore, in line with the level of maximum prices established by Maximum Price Regulation No. 188.

Highly inflationary tendencies have developed as a result of a great shortage in the supply of these articles. The Administrator has, therefore, deemed it advisable to establish maximum resale prices. These prices are in line with the general levels of maximum resale prices for similar merchandise, allowing the sellers markups normally enjoyed in the industry for their types of distributive operations.

Issued this 13th day of September, 1946.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 46-16682; Filed, Sept. 16, 1946;
8:46 a. m.]

[MPR 188, Order 5178]

BELL SHADE & LAMP CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, it is ordered:

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Bell Shade & Lamp Company, 213 So. Fifth Street, Philadelphia 6, Pa.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
Twin metal color enameled metal figurine lamp.....	1	Each \$4.25	Each \$5.00	Each \$9.00

These maximum prices are for the articles described in the manufacturer's application dated June 25, 1946.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. Philadelphia, Pennsylvania, 2%, 10 days, net 30. The maximum price to consumers is net delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the fourth Pricing Method, § 1499.158, of Maximum Price Regulation 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model Number-----
OPA Retail Ceiling Price—\$-----
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobbers' maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 147.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 14th day of September 1946.

Issued this 13th day of September 1946.

JAMES G. ROGERS, Jr.,
Acting Administrator.

OPINION ACCOMPANYING ORDER NO. 5178 UNDER SECTION 1499.158 OF MAXIMUM PRICE REGULATION NO. 188

By application dated June 25, 1946, Bell Shade & Lamp Company, 213 So. Fifth Street, Philadelphia 6, Pennsylvania, herein called the applicant, requested the Office of Price Administration to establish maximum prices for sales of lamps which it manufactures.

Since the applicant has not previously manufactured an article the maximum price of which may be used as a basis for pricing the articles described in the application under one of the first three pricing methods of Maximum Price Regulation No. 188, it has been necessary to consider the application under the Fourth Pricing Method, Section 1499.158, which requires that prices be set in line with the level of maximum prices established by Maximum Price Regulation No. 188.

The specifications, construction and design of the applicant's product have been compared with those of comparable competitive articles for which maximum prices have been properly established under the regulation. The prices estab-

lished by this order are in line with the maximum prices of those comparable articles for sales to the same classes of purchasers and are, therefore, in line with the level of maximum prices established by Maximum Price Regulation No. 188.

Highly inflationary tendencies have developed as a result of a great shortage in the supply of these articles. The Administrator has, therefore, deemed it advisable to establish resale prices. These prices are in line with the general levels of maximum resale prices for similar merchandise, allowing the sellers markups normally enjoyed in the industry for their types of distributive operations.

Issued this 13th day of September 1946.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 46-16683; Filed, Sept. 16, 1946;
8:46 a. m.]

[MPR 188, Order 5179]

WELLINGTON STUDIOS

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, it is ordered:

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Wellington Studios, 1005 East 14th Street, Los Angeles 21, Calif.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
Wood and plastic table lamp.	201 LB and 202 LB.	\$8.50	\$10.00	\$18.00
Wood, plastic, and glass table lamp.	203 LB and 204 LB.	6.80	8.00	14.40
Hand sewed rayon silk shades 15 1/4" to 18 1/4" trimmed with braid.	204 S, 203 S, 202 S, 201 S.	4.04	4.75	8.55

These maximum prices are for the articles described in the manufacturer's application dated August 1, 1946.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. Los Angeles, California, 2%, 10 days, net 30. The maximum price to consumers is net delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other

class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement with the proper model number and the ceiling price inserted in the blank spaces:

Model Number -----
OPA Retail Ceiling Price—\$-----
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobbers' maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 14th day of September 1946.

Issued this 13th day of September, 1946.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 46-16674; Filed, Sept. 16, 1946;
8:51 a. m.]

[MPR 188, Order 5180]

STERLING INDUSTRIES, INC.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Sterling Industries, Inc., 1140 No. American Street, Philadelphia 23, Pa.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
Fluorescent bed lamp with pleated silk shade on oblong wire frame and equipped with plug-in ballast.....	BL 600	\$4.25	\$5.00	\$9.00

No. 181—3

These maximum prices are for the articles described in the manufacturer's application dated June 17, 1946 and August 9, 1946.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. Philadelphia, 1%, 10 days, net 30. The maximum price to consumers is net delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model Number -----
OPA Retail Ceiling Price—\$-----
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobbers' maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 14th day of September 1946.

Issued this 13th day of September, 1946.

JAMES G. ROGERS, Jr.,
Acting Administrator.

OPINION ACCOMPANYING ORDER NO. 5180
UNDER SECTION 1499.158 OF MAXIMUM
PRICE REGULATION NO. 188

By application dated June 17, 1946 and August 9, 1946, Sterling Industries, Inc., 1140 No. American Street, Philadelphia 23, Pennsylvania, herein called the applicant, requested the Office of Price Administration to establish maximum prices for sales of lamps which it manufactures.

Since the applicant has not previously manufactured an article the maximum price of which may be used as a basis for pricing the articles described

in the application under one of the first three pricing methods of Maximum Price Regulation No. 188, it has been necessary to consider the application under the Fourth Pricing Method, Section 1499.158, which requires that prices be set in line with the level of maximum prices established by Maximum Price Regulation No. 188.

The specifications, construction and design of the applicant's product have been compared with those of comparable competitive articles for which maximum prices have been properly established under the Regulation. The prices established by this order are in line with the maximum prices of those comparable articles for sales to the same classes of purchasers and are, therefore, in line with the level of maximum prices established by Maximum Price Regulation No. 188.

Highly inflationary tendencies have developed as a result of a great shortage in the supply of these articles. The Administrator has, therefore, deemed it advisable to establish maximum resale prices. These prices are in line with the general levels of maximum resale prices for similar merchandise, allowing the sellers markups normally enjoyed in the industry for their types of distributive operations.

Issued this 13th day of September 1946.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 46-16675; Filed, Sept. 16, 1946;
8:52 a. m.]

[MPR 382, Order 8]

ARMSTRONG CORK CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 8 under section 1.10 (c) of Maximum Price Regulation No. 382.

Wide-mouth glass containers. Armstrong Cork Company. Docket No. 6122-382-1.10-2.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 1.10 (c) of Maximum Price Regulation 382; *It is ordered:*

(a) The maximum prices established under Maximum Price Regulation 382 for sales of wide-mouth glass containers by the Armstrong Cork Company, Lancaster, Pennsylvania, to its various classes of purchasers, may be increased by an amount not in excess of 8.7 percent.

(b) All provisions of Maximum Price Regulation 382 not inconsistent with this order shall apply to sales covered by this order.

(c) Any person purchasing for the purpose of resale in the same form or forms, wide-mouth glass containers from the Armstrong Cork Company, Lancaster, Pennsylvania, may increase his present maximum prices, established under the General Maximum Price Regulation, by an amount not exceeding the percentage increases in acquisition costs resulting to him from the increases permitted the Armstrong Cork Company under (a), above.

(d) All requests of the application not granted herein are denied.

(e) This order may be amended or revoked by the Office of Price Administration at any time.

This Order No. 8 shall become effective September 14, 1946.

Issued this 13th day of September 1946.

JAMES G. ROGERS, Jr.,
Acting Administrator.

OPINION ACCOMPANYING ORDER NO. 8
UNDER SECTION 1.10 (c) OF MAXIMUM
PRICE REGULATION NO. 382

The Armstrong Cork Company, Lancaster, Pennsylvania, a manufacturer of wide-mouth and narrow-neck glass containers, filed an application for adjustments in the maximum selling prices of these products. At present, wide-mouth and narrow-neck glass containers are subject to Maximum Price Regulation 382 and Maximum Price Regulation 198, respectively. The individual adjustment provisions in both of these regulations incorporate the provisions of Section 16 of Maximum Price Regulation 592 insofar as they are applicable to both of the above products. This application, accordingly, has been processed pursuant to the standards set forth in Section 16 of Maximum Price Regulation 592.

This Office has examined the applicant's over-all financial data for the base period years 1936-1939, inclusive, and its segregated financial data for the years 1939-1945, inclusive. An analysis of the submitted data indicates: (1) that the applicant's current over-all profit position, adjusted to reflect the net effect of price and cost increases for which information was available and which occurred subsequent to 1945, is favorable as compared with its average base period earnings adjusted for changes in net worth; and (2) that the current sales realizations on wide-mouth and narrow-neck glass containers do not cover the total costs of manufacturing and selling these products. Accordingly, it appears appropriate under the standards set forth in Section 16 of Maximum Price Regulation 592 to increase the maximum selling prices of wide-mouth and narrow-neck glass containers by amounts equal to that required to return total costs on these product lines.

Based on the above considerations, the accompanying Order increases the applicant's maximum selling prices of wide-mouth glass containers by 8.7 percent, and of narrow-neck glass containers by 10.4 percent, and establishes adjusted maximum prices for these product lines which will permit the applicant to recover total costs for manufacturing and selling glass containers.

Resellers are permitted to increase their existing maximum prices of wide-mouth and narrow-neck glass containers by the respective percentage increases in their acquisition costs resulting from the adjustments granted the Armstrong Cork Company. Thus, resellers will continue to realize the same percentage margin on these two product lines as were in effect prior to the issuance of the accompanying Orders.

Issued this 13th day of September 1946.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 46-16676; Filed, Sept. 16, 1946;
8:54 a. m.]

[MPR 591, Amdt. 1 to Order 609]

FANNING CORP.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591, It is ordered: Order No. 609 under section 9 of Maximum Price Regulation No. 591 is amended in the following respect:

1. In paragraph (a) add the following paragraph:

When the above sink tops are attached to sinks there may be added to the maximum prices above an additional sum of \$8.40.

This amendment shall become effective September 14, 1946.

Issued this 13th day of September 1946.

JAMES G. ROGERS, Jr.,
Acting Administrator.

OPINION ACCOMPANYING AMENDMENT 1 TO
ORDER NO. 609 UNDER SECTION 9 OF
MAXIMUM PRICE REGULATION NO. 591

The purpose of this Amendment is to add an item of service to the original order requested by the manufacturer at this time. The original prices on sink tops were inlined with a manufacturer who supplied sink and included the cost of sink installation in the cost of the sink. The Fanning Corporation does not supply sinks but does install sinks which are supplied by purchasers of their sink tops. The cost of installation including sink molding trim, brackets, cement, and labor is in line with the approved price granted a competitor making allowances for the fact that the competitor furnishes the sink bowl as well as installs it while Fanning Corporation only installs and does not supply the sink bowl.

In view of the above consideration the Administrator finds that this Amendment is necessary and consistent with the purposes and standards of the Emergency Price Control Act of 1942, as amended and Executive Orders of the President.

Issued this 13th day of September 1946.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 46-16677; Filed, Sept. 16, 1946;
8:55 a. m.]

[MPR 591, Order 814]

BEN BAR SALES, INC.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591; It is ordered:

(a) The maximum net prices, f. o. b. point of shipment, for sales by any person of the following food freezer manufactured by Ben Bar Sales, Inc., of Milwaukee, Wisconsin, and as described in the application dated August 17, 1946, which is on file with the Mechanical Building Equipment Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

	On sales to—		
	Distributors	Dealers	Consumers
SFH 18 1/2 hp.....	\$305	\$366	\$610
SFH 14 1/2 hp.....	275	330	550

(b) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities in the same general category on October 1, 1941.

(c) The maximum net prices established in (a) above may be increased by the following amount to each class of purchaser to cover the cost of crating when crating is actually supplied: \$6.00.

(d) On sales by a distributor or dealer the following charges may be added to the maximum prices established in (a) above:

(1) The actual amount of freight paid to obtain delivery to his place of business. Such charges shall not exceed the lowest common carrier rates.

(2) Crating charges actually paid to his supplier but in no instance exceeding the amount specified in (c) above.

(e) Each seller covered by this order, except a dealer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers upon resale, except dealers, including allowable transportation and crating charges.

(f) Ben Bar Sales, Inc., shall stencil on the food freezer covered by this order, substantially the following:

OPA Maximum Retail Price \$.....

Plus freight and crating as provided in Order No. 814 under Maximum Price Regulation No. 591.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective September 14, 1946.

Issued this 13th day of September 1946.

JAMES G. ROGERS, Jr.,
Acting Administrator.

OPINION ACCOMPANYING ORDER NO. 814
UNDER SECTION 9 OF MAXIMUM PRICE
REGULATION NO. 591

The accompanying Order No. 814 under section 9 of Maximum Price Regulation No. 591 establishes maximum prices for sales at all levels of distribution for

food freezers manufactured by the Ben Bar Sales, Inc., of Milwaukee, Wisconsin.

These particular commodities were only recently introduced into the market by the manufacturer. Maximum prices for the items could not be established under sections 7 and 8 of Maximum Price Regulation No. 591, because this company had never manufactured comparable commodities. Consequently, maximum prices must be approved pursuant to the provisions of section 9 of Maximum Price Regulation No. 591.

In its application the company submitted its proposed prices for the commodities covered by this order. Based on an analysis of the information submitted the prices set forth in the accompanying order are in line with the prices of competitive manufacturers for comparable commodities and, therefore, are in line with the level of prices established under Maximum Price Regulation No. 591.

In order to avoid any confusion on the part of resellers as to their maximum prices and for the purposes of protecting consumers, the accompanying order establishes dollars-and-cents prices for all levels of distribution. Maximum prices established for resellers reflect the usual margins of such resellers on sales of comparable products. The order also provides that distributors may, under certain circumstances, add delivery charges to the dollars-and-cents maximum prices established to cover actual freight paid to obtain delivery and crating charges actually paid.

The commodities manufactured by this company will be distributed by many resellers who may or may not have access to copies of the accompanying order. Therefore, in order to avoid confusion on the part of resellers who do not have access to this order, the order provides that the Ben Bar Sales, Inc. shall notify each of its purchasers of its maximum prices as well as purchasers' maximum resale prices. The order further provides that the Ben Bar Sales, Inc. shall stencil on the inside of the lid of the food freezer the maximum retail price thereof.

All provisions of the accompanying order and their effect upon business practices, or cost practices or methods or means or aids to distribution in the industry or industries affected, have been carefully considered. No provisions which might have the effect of requiring a change in such practices, means, or methods established in the industry or industries affected, have been included in the order unless such provisions have been found necessary to achieve effective price control and to prevent circumvention or evasion of the order or of the act. To the extent that the provisions of this order compel or may operate to compel changes in business practices, cost practices, or methods or means or aids to distribution established in the industry or industries affected, such provisions are necessary to prevent circumvention or evasion of this order or of the Emergency Price Control Act of 1942, as amended.

The Price Administrator has determined, on the basis of the foregoing that the maximum prices established by

the order are generally fair and equitable, and are in conformity with the Emergency Price Control Act of 1942, as amended, and Executive orders issued by the President.

Issued this 13th day of September 1946.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 46-16678; Filed, Sept. 16, 1946;
8:56 a. m.]

[MPR 188, Order 138]

ARMSTRONG CORK CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 138 under paragraph (a) (12) of Order A-2 under § 1499.159b of Maximum Price Regulation No. 188. Narrow-neck glass containers. Armstrong Cork Company. Docket No. 6122-188.161 (a) (2)-(25).

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to paragraph (a) (12) of Order A-2 under § 1499.159b of Maximum Price Regulation 188, it is ordered:

(a) The maximum prices, established under Maximum Price Regulation 188, for sales of narrow-neck glass containers by the Armstrong Cork Company, Lancaster, Pennsylvania, to its various classes of purchasers, may be increased by an amount not in excess of 10.4 percent.

(b) All provisions of Maximum Price Regulation 188 not inconsistent with this order shall apply to sales covered by this order.

(c) Any person purchasing, for the purpose of resale in the same form or forms, narrow-neck glass containers from the Armstrong Cork Company, Lancaster, Pennsylvania, may increase his present maximum prices, established under the General Maximum Price Regulation, by an amount not exceeding the percentage increase in acquisition cost resulting to him from the increases permitted the Armstrong Cork Company under (a), above.

(d) All requests of the application not granted herein are denied.

(e) This order may be amended or revoked by the Office of Price Administration at any time.

This Order No. 138 shall become effective September 14, 1946.

Issued this 13th day of September 1946.

JAMES G. ROGERS, Jr.,
Acting Administrator.

OPINION ACCOMPANYING ORDER NO. 138 UNDER PARAGRAPH (a) (12) OF ORDER A-2 UNDER SECTION 1499.159b OF MAXIMUM PRICE REGULATION NO. 188

The Armstrong Cork Company, Lancaster, Pennsylvania, a manufacturer of wide-mouth and narrow-neck glass containers, filed an application for adjustments in the maximum selling prices of these products. At present, wide-mouth and narrow-neck glass containers are subject to Maximum Price Regulation 362 and Maximum Price Regulation 188, respectively. The individual adjustment provisions in both of these regulations

incorporate the provisions of Section 16 of Maximum Price Regulation 592 insofar as they are applicable to both of the above products. This application, accordingly, has been processed pursuant to the standards set forth in Section 16 of Maximum Price Regulation 592.

This Office has examined the applicant's over-all financial data for the base period years 1936-1939, inclusive, and its segregated financial data for the years 1939-1945, inclusive. An analysis of the submitted data indicates: (1) that the applicant's current over-all profit position, adjusted to reflect the net effect of price and cost increases for which information was available and which occurred subsequent to 1945, is favorable as compared with its average base period earnings adjusted for changes in net worth; and (2) that the current sales realizations on wide-mouth and narrow-neck glass containers do not cover the total costs of manufacturing and selling these products. Accordingly, it appears appropriate under the standards set forth in Section 16 of Maximum Price Regulation 592 to increase the maximum selling prices of wide-mouth and narrow-neck glass containers by amounts equal to that required to return total costs on these product lines.

Based on the above considerations, the accompanying order increases the applicant's maximum selling prices of wide-mouth glass containers by 8.7 percent, and of narrow-neck glass containers by 10.4 percent, and establishes adjusted maximum prices for these product lines which will permit the applicant to recover total costs for manufacturing and selling glass containers.

Resellers are permitted to increase their existing maximum prices of wide-mouth and narrow-neck glass containers by the respective percentage increases in their acquisition costs resulting from the adjustments granted the Armstrong Cork Company. Thus, resellers will continue to realize the same percentage margin on these two product lines as were in effect prior to the issuance of the accompanying Orders.

Issued this 13th day of September 1946.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 46-16681; Filed, Sept. 16, 1946;
9:44 a. m.]

[MPR 188, Order 518]

KAISER FLEETWINGS, INC.

APPROVAL OF CEILING PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.158 of Maximum Price Regulation No. 188, it is ordered:

(a) This order establishes ceiling prices for sales of four models of dishwashers manufactured by Kaiser Fleetwings, Inc., Bristol, Pa.

(1) The ceiling prices for sales in each zone by Kaiser Fleetwings, Inc. to the Kaiser-Frazer Company of the four models of dishwashers listed below are as follows:

Model	Ceiling price to Kaiser-Frazer Corporation		
	Zone 1	Zone 2	Zone 3
DA-1	Each \$113.87	Each \$115.22	Each \$118.22
DB-1	91.16	92.21	94.41
DC-1	97.74	98.84	101.19
DD-1	66.50	67.25	67.80

These ceiling prices are f. o. b. the city of the wholesale distributor or wholesale consumer purchasing the dishwasher from the Kaiser-Frazer Corporation.

(2) The ceiling prices for sales in each zone of the four models of dishwashers listed below to wholesale distributors or wholesale consumers are as follows:

Model	Ceiling prices for sales to wholesale distributors and wholesale consumers		
	Zone 1	Zone 2	Zone 3
DA-1	Each \$127.35	Each \$128.70	Each \$131.50
DB-1	101.96	103.01	103.21
DC-1	109.30	110.40	112.75
DD-1	74.38	75.13	75.68

These ceiling prices are f. o. b. the purchaser's city.

(3) The ceiling prices for sales in each zone by wholesale distributors to retail dealers of the four models of dishwashers listed below are as follows:

Model	Ceiling prices for sales to dealers		
	Zone 1	Zone 2	Zone 3
DA-1	Each \$135.79	Each \$137.14	Each \$139.94
DB-1	108.71	109.76	111.96
DC-1	116.55	117.65	120.00
DD-1	79.30	80.05	80.00

These ceiling prices are f. o. b. the wholesale distributor's warehouse.

(4) The ceiling prices for sales in each zone by retail dealers to ultimate consumers of the four models of dishwashers listed below are as follows:

Model	Ceiling prices to ultimate consumers		
	Zone 1	Zone 2	Zone 3
DA-1	Each \$169.50	Each \$170.85	Each \$173.65
DB-1	135.70	136.75	138.95
DC-1	145.50	146.60	148.95
DD-1	99.60	99.75	101.30

These ceiling prices include delivery but do not include installation.

(5) For sales by the manufacturer these ceiling prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries.

(b) For purposes of this order, zones 1, 2, and 3 are comprised as follows:

Zone 1. Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Delaware, Pennsylvania, Maryland, Virginia, West Virginia, North Carolina, Kentucky, Ohio, Michigan, Indiana, Wisconsin, Illinois, and the District of Columbia.

Zone 2. North Dakota, Minnesota, South Dakota, Nebraska, Iowa, Kansas, Missouri, Arkansas, Tennessee, Mississippi, Alabama, South Carolina, Florida, Louisiana, Georgia.

Zone 3. Montana, Wyoming, Colorado, Oklahoma, Texas, New Mexico, Arizona, Utah, Idaho, Washington, Oregon, California, Nevada.

(c) As used in this order wholesale consumer means a person who purchases dishwashers for use rather than resale, but who is not an ultimate consumer. The term wholesale consumer includes but is not limited to builders purchasing dishwashers for use in equipping residential buildings they are constructing, and apartment house owners or operators purchasing dishwashers for use by tenants in the purchaser's apartments.

(d) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method of Maximum Price Regulation No. 188 for the establishment of ceiling prices for those sales and no sales or deliveries may be made until ceiling prices have been authorized by the Office of Price Administration.

(e) The manufacturer shall attach to every dishwasher for which a retail ceiling price is established by this order a tag or label which contains a statement of the model number of the article, its OPA retail ceiling price in each zone, a list of the states contained in each zone, a statement that the retail ceiling price includes delivery, and a statement that the tag or label may not be removed until the article is sold to an ultimate consumer.

(f) At the time of or prior to the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the ceiling prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 13th day of September 1946.

Issued this 13th day of September 1946.

JAMES G. ROGERS, Jr.,
Acting Administrator.

OPINION ACCOMPANYING ORDER NO. 5181 UNDER MAXIMUM PRICE REGULATION NO. 188

On August 13, 1946, Kaiser Fleetwings Inc., Bristol, Pennsylvania, applied to the Office of Price Administration for the establishment of its ceiling prices for sales of four models of dishwashers which it manufactures.

Since the applicant has not previously manufactured an article the ceiling price of which may be used as a basis for pricing the articles described in the application under one of the first three pricing methods of Maximum Price Regulation No. 188, it has been necessary to consider the application under the Fourth Pricing Method, Section 1499.158, which requires that prices be set in line with the level of maximum prices established by Maximum Price Regulation No. 188.

The specifications, construction and design of the applicant's product have been compared with those of comparable competitive articles for which ceiling prices have been properly established under the Regulation. The prices established by this order are in line with the ceiling prices of those comparable articles for sales to the same classes of purchasers and are, therefore, in line with the level of ceiling prices established by Maximum Price Regulation No. 188.

In view of the shortage in supply of dishwashers and in consonance with the preticketing program instituted by this Office in connection with resales of large consumer appliances, the accompanying order establishes ceiling prices for resales at all levels of the dishwashers it covers. The resale ceiling prices established allow the resellers markups normally enjoyed by them in connection with their sales of other products.

Issued this 13th day of September 1946.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 46-16693; Filed, Sept. 16, 1946; 8:48 a. m.]

[Rev. SO 119, Amdt. 3 to Order 1 Under Order 192]

AMERICAN IRONING MACHINE CO.

ADJUSTMENT OF CEILING PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to Order 192 under Revised Supplementary Order No. 119; It is ordered:

That Order 1 under Order 192 under Revised Supplementary Order No. 119 is amended in the following respect:

The paragraph preceding the issuance date is amended to read as follows:

This order shall cease to be effective on October 12, 1946.

This amendment may be revoked or amended by the Price Administrator at any time.

This amendment shall become effective as of the 12th day of September 1946.

Issued this 13th day of September 1946.

JAMES G. ROGERS, Jr.,
Acting Administrator.

OPINION ACCOMPANYING AMENDMENT NO. 3 TO ORDER 192 UNDER REVISED SUPPLEMENTARY ORDER NO. 119

Order 1 under Order 192 under Revised Supplementary Order No. 119 granted the American Ironing Machine Company, Algonquin, Illinois, an adjustment of its ceiling prices for the line of ironing machines which it manufactures. The adjustment granted exceeded that allowed under Revised Supplementary Order No. 119 because the adjustment the manufacturer would have received under that order would not have been sufficient to prevent its entire business from operating at a projected over-all loss based on 1941 volume and overhead expense and the prospective loss operation was not due to temporary factors. The adjustment granted was limited in

duration to a ninety-day period to permit a reconsideration toward the close of that period by this office of the continuing need for the increase.

The ninety day period is now about to expire. It appears from additional data submitted by the applicant that the increase granted was just sufficient to eliminate the manufacturer's loss but that this result was possible only because the manufacturer, during June and July, concentrated on the production of his two highest profit models. If the manufacturer had produced all the models in his line he would have continued at a loss. Furthermore, the manufacturer is about to apply once more for an adjustment under Revised Supplementary Order No. 119 and a preliminary examination of the legal material and labor cost increases he has incurred in the last three months indicates that the increase he will receive may equal that which he received under Order 1 under Order 192. Accordingly, in order to avoid unnecessary fluctuations in price and to prevent any hardship occurring to the manufacturer while his renewed application under Revised Supplementary Order No. 119 is pending, the accompanying amendment extends the application of Order No. 1 for an additional thirty days.

Issued this 13th day of September 1946.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 46-16692; Filed, Sept. 16, 1946;
8:48 a. m.]

[RMFR 165, Amdt. 2 to Order 1 Under Supp.
Service Reg. 49]

AUTOMOTIVE SERVICES

ADJUSTMENT OF MAXIMUM PRICES

A statement of the considerations involved in the issuance of this amendment issued simultaneously herewith, has been filed with the Division of the Federal Register.

Order 1 to Supplementary Service Regulation No. 49 is amended in the following respects:

1. Paragraph (b) thereof is amended by the addition of a new subparagraph (5) to read as follows:

(5) Pontiac Flat Rate, 1942-46 Supplement.

2. A new Appendix E is added to follow Appendix D, to read as follows:

APPENDIX E

This is the "Notice" for Pontiac Flat Rate, 1942-46 Supplement:

NOTICE

Practically every automotive repair shop is covered by the provisions of OPA regulation SSR 49, and must make a choice as to whether it will price under Appendix A or Appendix B of that regulation. If you have elected to price under Appendix A, you may not by the use of this manual or otherwise charge more for one of the 56 operations there listed than the ceiling price established for you.

WITH THIS IMPORTANT EXCEPTION YOU ARE AUTHORIZED BY OPA TO USE THIS MANUAL TO ARRIVE AT YOUR LABOR CHARGE FOR A GIVEN JOB

IF—

1. You are now legally pricing by the use of the 1942 Pontiac Flat Rate Manual, or on the basis of the mechanic's actual time on the job; and

2. Your present ceiling for that job is not a "fixed charge" which is lower than the price set for you by this manual. (A "fixed charge" is a charge not computed on the basis of an hourly rate. Examples: Relining brakes on 1941 Blank cars \$-----; Quick tune-up, all Blank Models \$-----.)

3. The Supplementary statement which you file shows that the job is included among those jobs which you will hereafter price by the use of this manual.

(You must file with your local Price Control Board in accordance with Section 14 of RMFR 165 your intention to use all or any part of this manual for pricing purposes.)

Important.—In case of any doubt about your ceiling prices, always consult your local OPA office.

NOTE: All reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942, as amended.

This amendment shall become effective September 21, 1946.

Issued this 16th day of September 1946.

PAUL A. PORTER,
Administrator.

STATEMENT OF THE CONSIDERATIONS INVOLVED IN THE ISSUANCE OF AMENDMENT 2 TO ORDER 1 TO SSR 49

The accompanying amendment adds another automotive repair manual to those already listed in Order 1 to SSR 49 as having the approval of OPA for use as a pricing method by the automotive trade under certain specific conditions.

The 1942-46 Supplement to the 1942 Pontiac Flat Rate manual which alone is approved by this amendment is simply a supplement to the 1942 Pontiac Flat Rate manual rather than a complete new manual. It sets forth specific time periods, based on factory time studies, for new operations resulting from major changes in 1946 models. Also included is a schedule of operations under the categorical heading "motor tune-up diagnosis" (operation No. 6-2) which makes available to the Pontiac owner a lower priced tune-up service than heretofore offered. The "Partial Body Panels" supplement previously approved by OPA in Paragraph (b) 3 of Order 1 to SSR 49 also appears in the new supplement.

The same considerations apply to the approval of this publication as applied to the publications previously approved in Order 1 to SSR 49.

Issued this 16th day of September 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-16858; Filed, Sept. 16, 1946;
11:41 a. m.]

[MPR 580, Amdt. 1 to Order 36]

VANITY FAIR MILLS, INC.

ESTABLISHMENT OF CEILING PRICES

Maximum Price Regulation 580, amendment 1 to Order 36. Establishing ceiling prices at retail for certain articles. Docket No. 6063-580-13-728.

For the reasons set forth in the opinion issued simultaneously herewith, Order No. 36 issued under section 13 of Maximum Price Regulation 580 on application of Vanity Fair Mills, Inc., Reading, Pennsylvania, is amended in the following respects:

1. Paragraph (a) is amended to read as follows:

(a) The following ceiling prices are established for sales by any seller at retail of the following articles having the brand name "Vanity Fair" and manufactured by Vanity Fair Mills Inc., Reading, Pennsylvania:

LADIES' UNDERWEAR AND NIGHTWEAR

Manufacturer's selling price (per dozen)	Ceiling price at retail (per unit)
\$7.00	\$1.00
8.00	1.15
8.75	1.25
9.45	1.35
10.15	1.45
10.50	1.50
11.55	1.65
12.95	1.85
14.00	2.00
15.75	2.25
17.50	2.50
19.25	2.75
21.00	2.95
24.50	3.50
28.00	3.95
35.00	4.95
42.00	5.95
49.00	6.95
56.00	7.95
63.00	8.95

2. Paragraph (b) is amended to read as follows:

(b) The retail ceiling price of each article covered by paragraph (a) shall apply in place of the ceiling price which has been or would otherwise be established under this or any other regulation, and shall apply to any other article of the same type, having the same ceiling price to the retailer, the same brand name, and first sold by the manufacturer after the effective date of this order.

3 Paragraph (c) is amended by deleting the phrase "Maximum Price Regulation No. 580" and substituting therefor the phrase "the regulation which would apply in the absence of this order."

4. Paragraph (c) is amended by adding thereto the following undesignated paragraph:

Upon issuance of any amendment to this order which either adds an article to those already covered by the order or changes the retail ceiling price of a covered article, Vanity Fair Mills Inc., as to such article, must comply with the preticketing requirements of this paragraph within 30 days after the issuance

of the amendment. After 60 days from the issuance date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this order. However, the pricing provisions of this order or of any subsequent amendment thereto shall apply as of the effective date of the order or applicable amendment.

5. Paragraph (d) is amended to read as follows:

(d) At the time of or before the first delivery to any purchaser for resale of any article covered by this order, the seller shall send the purchaser a copy of the order and of each amendment thereto issued prior to the date of such delivery. Within 15 days after the effective date of any subsequent amendment to the order, the seller shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the seller had delivered any article the sale of which is affected in any manner by the amendment. The seller shall also send a copy to all other purchasers at the time of or before the first delivery of the article subsequent to the effective date of the amendment.

This amendment shall become effective September 17, 1946.

Issued this 16th day of September 1946.

JAMES G. ROGERS, Jr.,
Acting Administrator.

OPINION ACCOMPANYING AMENDMENT 1 TO ORDER NO. 36 UNDER MAXIMUM PRICE REGULATION NO. 580

The accompanying amendment to Order No. 36 issued to Vanity Fair Mills, Inc., Reading, Pennsylvania, under Section 13 of Maximum Price Regulation 580, revises paragraph (a) to list all of the manufacturer's current cost lines which were covered by the order prior to this amendment. Previously, the order did not actually list the manufacturer's cost lines and retail ceilings but merely incorporated them by reference to the manufacturer's original application for the order. The revision is made in the interest of a more effective administration of the order. Cost lines not listed in paragraph (a) as amended are no longer covered by the order even though they are included in the original application for the order.

Paragraph (b) is amended to provide, under specified conditions, an automatic method for establishing a uniform retail ceiling for branded articles not included in the order and first sold by the manufacturer after the effective date of the order.

The amendment expressly declares that the retail ceiling prices established by the order or any amendment thereto apply as of the effective date of the order or amendment. This was done to make it clear that the effective date of the established prices is not governed by the preticketing provision of the order. With

respect to articles for which retail ceiling prices are established by amendment, provision is made for the suspension of the preticketing requirements for a specified period.

The amendment also broadens the notice provision in paragraph (e).

Issued this 16th day of September 1946.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 46-16864; Filed, Sept. 16, 1946; 11:43 a. m.]

[MPR 580, Amdt. 5 to Order 59]

UNITED STATES SHOE CORP.

ESTABLISHMENT OF MAXIMUM PRICES

Maximum Price Regulation 580, amendment 5 to Order 59. Establishing ceiling prices at retail for certain articles. Docket No. 6063-580-13-776.

For the reasons set forth in the opinion issued simultaneously herewith, Order No. 59 issued under section 13 of Maximum Price Regulation 580 on application of the United States Shoe Corporation, 1658 Herald Avenue, Cincinnati 7, Ohio, is amended in the following respect:

1. Paragraph (a) is amended by adding the following:

Article	Manufacturer's unadjusted selling price	Ceiling price at retail
Gold Cross Shoe.....	\$5.60	\$9.95

This amendment shall become effective September 17, 1946.

Issued this 16th day of September 1946.

JAMES G. ROGERS, Jr.,
Acting Administrator.

OPINION ACCOMPANYING AMENDMENT 5 TO ORDER NO. 59 UNDER MAXIMUM PRICE REGULATION 580

The accompanying amendment to Order No. 59 issued to The United States Shoe Corporation, 1658 Herald Avenue, Cincinnati 7, Ohio, under Section 13 of Maximum Price Regulation 580, establishes a uniform retail ceiling price for an additional shoe style. This will enable the manufacturer to continue its custom of maintaining uniform retail selling prices on its branded merchandise.

Issued this 16th day of September 1946.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 46-16866; Filed, Sept. 16, 1946; 11:43 a. m.]

[MPR 580, Amdt. 6 to Order 44]

VAN RAALTE CO., INC.

ESTABLISHMENT OF MAXIMUM PRICES

Maximum Price Regulation 580, Amendment 6 to Order 44. Establishing ceiling prices at retail for certain articles. Docket No. 6063-580-13-757.

For the reasons set forth in the opinion issued simultaneously herewith, Order No. 44 issued under section 13 of Maximum Price Regulation 580 on application of Van Raalte Company, Inc., 417 Fifth Avenue, New York 16, New York, is amended in the following respects:

1. Paragraph (a) is amended to read as follows:

(a) The following ceiling prices are established for sales by any seller at retail of the following articles having the brand name "Van Raalte", manufactured by Van Raalte Company, Inc., 417 Fifth Avenue, New York 16, New York:

LADIES' GLOVES

Manufacturer's selling price (per dozen pair)	Ceiling price at retail (per pair)
\$5.35 to \$5.50	\$0.79
7.00 to 7.25	1.00
8.50	1.25
9.75 to 10.50	1.50
12.50 to 14.00	2.00
15.25	2.25
16.50	2.50
20.00 to 20.50	3.00
23.25	3.50
26.00	4.00
29.50	4.50
33.00	5.00
37.00	5.50
41.00	6.00
43.75	6.50
46.50	7.00
49.25	7.50
52.00	8.00

LADIES' UNDERWEAR

Manufacturer's selling price (per dozen)	Ceiling price at retail (per unit)
\$5.85	\$0.85
6.85 to \$7.00	1.00
7.75 to 8.00	1.15
8.50	1.25
9.00	1.35
10.00 to 10.50	1.50
12.00	1.80
12.50	1.85
13.50 to 14.00	2.00
14.50	2.15
15.25 to 15.50	2.25
16.25	2.35
17.00 to 17.50	2.50
18.75	2.75
21.00	3.00
24.00	3.50
28.00	4.00
31.50	4.50
34.50	5.00
39.00	5.50
42.00	6.00
46.00	6.50
48.00	7.00
51.00 to 52.50	7.50
54.00	8.00
59.50	8.50
63.00	9.00
66.50	9.50
69.00	10.00
72.00	10.00
75.00	10.50
78.00	11.00
81.00	11.50
84.00	12.00
90.00	13.00
96.00	14.00
102.00	15.00
108.00	16.00
114.00	17.00
126.00	18.00
132.00	19.00
138.00	20.00
144.00	21.00
150.00	22.00
156.00	23.00
160.00	24.00
166.00	25.00

2. Paragraph (b) is amended to read as follows:

(b) The retail ceiling price of each article stated in paragraph (a) shall apply in place of the ceiling price which has been or would otherwise be established under this or any other regulation, and shall apply to any other article of the same type, having the same selling price to the retailer, the same brand name, and first sold by the manufacturer after the effective date of this order.

3. Paragraph (c) is amended by deleting the phrase "Maximum Price Regulation No. 580" and substituting therefor the phrase "the regulation which would apply in the absence of this order."

4. Paragraph (d) is amended to read as follows:

(d) At the time of or before the first delivery to any purchaser for resale of any article covered by this order, the seller shall send the purchaser a copy of the order and of each amendment thereto issued prior to the date of such delivery. Within 15 days after the effective date or any subsequent amendment to the order, the seller shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the seller had delivered any article the sale of which is affected in any manner by the amendment. The seller shall also send a copy to all other purchasers at the time of or before the first delivery of the article subsequent to the effective date of the amendment.

5. Paragraph (e) is amended by deleting the phrase "Maximum Price Regulation No. 580" and substituting therefor the phrase "the regulation which would apply in the absence of this order."

This amendment shall become effective September 17, 1946.

Issued this 16th day of September 1946.

JAMES G. ROGERS, Jr.,
Acting Administrator.

OPINION ACCOMPANYING AMENDMENT 6 TO
ORDER NO. 44 UNDER MAXIMUM PRICE
REGULATION NO. 580

The accompanying amendment to Order No. 44 issued to Van Raalte Company, Inc., 417 Fifth Avenue, New York 16, New York, under Section 13 of Maximum Price Regulation 580, establishes uniform retail ceiling prices for additional ladies' underwear styles, and revises paragraph (a) to include all of the manufacturer's cost lines which were covered by the order prior to this amendment. Previously, some of the cost lines covered by the order were not actually listed therein but were merely incorporated by reference to the manufacturer's original application for the order. The revision is made in the interest of a more effective administration of the order.

The amendment also makes a number of technical changes in the order.

Issued this 16th day of September 1946.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 46-16865; Filed, Sept. 16, 1946;
11:43 a. m.]

[SO 94, Order 139]

CERTAIN MOSQUITO AND INSECT NETS

SPECIAL MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and in accordance with section 11 of Supplementary Order 94, it is ordered:

(a) *What this order does.* This order establishes maximum prices at which the new and used mosquito and insect nets hereinafter described may be sold and delivered by the War Assets Administration or any other United States Government agency, and by any subsequent reseller.

(b) *Maximum prices.* The maximum prices (f. o. b. shipping point) per net herein described shall be:

Description	Price for all sales to wholesaler	Price for all sales to retailer	Price for all sales at retail
New mosquito bar net made of cotton netting, 80" x 35" x 76", with tie tapes, made to form a rectangular enclosure.....	\$1.20	\$1.50	\$2.50
Used mosquito bar net made of cotton netting, 80" x 35" x 76", with tie tapes, made to form a rectangular enclosure.....	.80	1.00	1.65
New mosquito bar net made of cotton netting, 74" x 30" x 27", with tie tapes, made to form a rectangular enclosure (Federal Stock No. 27-N-265 or N-27-B-16).....	.64	.80	1.35
Used mosquito bar net made of cotton netting, 74" x 30" x 27", with tie tapes, made to form a rectangular enclosure (Federal Stock No. 27-N-265 or N-27-B-16).....	.48	.60	1.00
New insect field bar net made of cotton 1.9 oz. netting, small mesh with tie tapes, 52" high x 72" long x 26" wide.....	.70	.90	1.50
Used insect field bar net made of cotton 1.9 oz. netting, small mesh with tie tapes, 52" high x 72" long x 26" wide.....	.50	.65	1.10

Cross-stream sales may be made at any normal level of distribution by division of the markup in such proportion as may be agreed upon between the parties to the transaction.

(c) *Notification.* Every person, except a retailer, who sells the nets described in paragraph (b) shall furnish his purchaser with an invoice of sale setting forth the maximum prices established by this order for sales at wholesale or retail, and stating, in case such purchaser is a retailer, that the retailer is required by this order to either attach to each net before sale a tag or label which plainly states a selling price not in excess of the appropriate ceiling price or conspicuously display at the place where the nets are offered for sale a suitable sign which plainly states selling prices not in excess of the appropriate ceiling prices.

(d) *Tagging.* Any person who sells at retail the nets described in paragraph (b) shall either attach to each net before sale a tag or label which plainly states a selling price not in excess of the appropriate ceiling price or shall conspicuously display at the place where the nets are offered for sale a suitable sign which

plainly states selling prices not in excess of the appropriate ceiling prices.

(e) *Failure to furnish invoice or tag.* If any person, except a retailer, who sells the nets described in paragraph (b), fails to furnish his purchaser with an invoice of sale containing the information required by paragraph (c) or, in the case of a retailer, fails to comply with the tagging requirements of paragraph (d), such person's maximum sales price shall be his net invoice cost plus incoming freight, regardless of any other pricing provisions of this order.

(f) *Relation to other regulations and orders.* This order with respect to the commodities it covers supersedes any other regulation or order previously issued by the Office of Price Administration.

(g) *Definitions.* (1) "Wholesaler" means any person who sells to purchasers for resale.

(2) "Retailer" means any person who sells to ultimate consumers.

(h) *Revocation and amendment.* This order may be revoked or amended at any time.

This order shall become effective September 17, 1946.

Issued this 16th day of September 1946.

PAUL A. PORTER,
Administrator.

OPINION ACCOMPANYING ORDER NO. 139
UNDER SUPPLEMENTARY ORDER 94

The accompanying order establishes maximum prices for sales of new and used mosquito and insect bar nets, therein described, by the War Assets Administration or any other Government agency, and by subsequent resellers. The specific occasion for the issuance of the order is the proposed sale by the War Assets Administration of a large quantity of these nets, now located in all regions of the War Assets Administration and available for sale by its Regional Offices. It is expected that they will be sold in the ordinary civilian channels.

The maximum prices established for sales to wholesalers are less than the acquisition cost to the Government but are the prices at which the nets are being sold by the War Assets Administration. The prices established for sales at wholesale and at retail reflect the customary markups in the trade for these types of commodities, and will permit resellers to maintain adequate margins.

In order to insure compliance with the maximum prices, the order provides that all purchasers for resale be notified of their maximum prices, and that retailers be also notified that each net either be tagged with a price not in excess of the appropriate ceiling price by the retailer before sale or that the retailer conspicuously display at the place where the nets are offered for sale a suitable sign which plainly states selling prices not in excess of the appropriate ceiling prices.

In the opinion of the Administrator the maximum prices established by the order are generally fair and equitable and are consistent with and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328.

Issued this 16th day of September 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-16863; Filed, Sept. 16, 1946;
11:42 a. m.]

[SO 81, Order 4]

CERTAIN CHOCOLATE BARS
SPECIAL MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and in accordance with section 11 of Supplementary Order 81, it is ordered:

(a) *What this order does.* This order establishes maximum prices at which 2 oz. high temperature chocolate bars and 8 oz. chocolate slabs may be sold and delivered by the Department of Agriculture or any other United States Government agency, and by any subsequent reseller.

(b) *Maximum prices.* The maximum prices per pound, all f. o. b. Government warehouse, for the chocolate bar and chocolate slab hereinbefore described, shall be:

Price for all sales to distributor or wholesaler \$0.16.

Price for all sales to industrial user or processor, \$0.18.

Cross-stream sales may be made at the distributor or wholesaler level of distribution by division of the markup in such proportion as may be agreed upon between the parties to the transaction.

(c) *Notification.* Any person who sells the chocolate bar or chocolate slab de-

scribed in paragraph (a) to a distributor or wholesaler shall furnish his purchaser with an invoice of sale setting forth that the distributor's or wholesaler's maximum selling price is \$0.18 per pound.

(d) *Definitions.* (1) "Distributor or wholesaler" means any person who purchases for resale to an industrial user or processor.

(e) *Relation to other regulations and orders.* This order with respect to the commodities it covers supersedes any other regulation or order previously issued by the Office of Price Administration.

(f) *Revocation and amendment.* This order may be revoked or amended at any time.

This order shall become effective September 16, 1946.

Issued this 16th day of September 1946.

JAMES G. ROGERS, Jr.,
Acting Administrator.

OPINION ACCOMPANYING ORDER NO. 4 UNDER SUPPLEMENTARY ORDER 81

The accompanying order establishes maximum prices for sales of 2 oz. high temperature chocolate bars (known as troop ration bars) and 8 oz. chocolate slabs made for the British Services by the Department of Agriculture or any other Government agency, and by subsequent resellers. The specific occasion for the issuance of the order is the proposed sale by the Department of Agriculture of approximately 3,500,000 pounds of the 2 oz. bars, now located on the East and West Coasts and approximately 629,000 pounds of the 8 oz. slabs,

now located in Bronx Terminal Warehouse, Bronxville, N. Y., and Sibley Warehouse, Somerville, Mass., and available for sale by the Production and Marketing Administration, Washington, D. C. The Chocolate Bars were made for use of the Army and Navy in the tropics and the Chocolate Slabs for the British Services. Therefore, neither item is considered an ordinary consumer commodity. It is understood that they will not be sold to other than industrial users and processors for conversion into chocolate products.

The maximum price established for sales to distributors or wholesalers approximates the cost of acquisition to the Government. The maximum price established for sales to industrial users or processors is no higher than for standard medium grade chocolate coating, and will permit resellers to realize an adequate margin.

In order to insure compliance with the maximum prices, the order provides that distributors or wholesalers be notified of their ceiling prices.

In the opinion of the Administrator the maximum prices established by the order are generally fair and equitable and are consistent with and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328.

Issued this 16th day of September 1946.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 46-16862; Filed, Sept. 16, 1946;
11:42 a. m.]